EXHIBIT M

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

August 30, 2021

VIA FEDERAL EXPRESS

Hon. Jim Marpe
First Selectman – Town of Westport
Town Hall
110 Myrtle Avenue, Room 310
Westport, CT 06880

Re: 92 Greens Farms Road, Westport, CT

Dear First Selectman Marpe:

This office represents Tarpon Towers II, LLC ("Tarpon"). Tarpon and New Cingular Wireless PCS, LLC ("AT&T") anticipate filing an application for a Certificate of Environmental Compatibility and Public Need ("Certificate") for the construction, maintenance and operation of a telecommunications facility at 92 Greens Farms Road, Westport, Connecticut (the "Facility"). The application is intended to provide the opportunity for AT&T and Cellco Partnership, d/b/a Verizon Wireless ("Verizon"), to provide enhanced wireless communications and improved 911 service in this area of Westport. Verizon has committed to intervening in the Certificate proceeding to support the need for the Facility. The purpose of this correspondence is to provide you with notice and information regarding the proposed Facility and to commence the ninety (90) day consultation period prior to the filing of the Certificate.

Pursuant to Connecticut General Statutes § 16-50l(g), please find enclosed a copy of the Technical Report regarding the proposed Facility. The Technical Report includes information regarding the public need for the Facility, the site selection process, and the environmental effects of the Facility.

AT&T and Verizon require more reliable service in this area of Westport. The information and exhibits provided in the Technical Report demonstrate that this Facility will allow AT&T and Verizon to provide this necessary service with minimal environmental effect.

We would like to meet with you or your designee to review the proposed project and will contact you next week to set up an appointment at your convenience. If the Town has any proposed alternative sites, it must provide them to us within thirty (30) days of that initial consultation meeting.

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Thank you for your consideration of this correspondence and the enclosed Technical Report. We look forward to meeting with you.

If you have any questions, please do not hesitate to contact me directly.

Very truly yours,

David A. Ball

Enclosures

cc: Town of Westport Planning and Zoning Commission (w/enclosures)
Town of Westport Conservation Commission (w/enclosures)
Ira W. Bloom, Esq., Westport Town Attorney (w/enclosures)
Lucia Chiocchio, Esq., Counsel for AT&T (w/enclosures)
Kenneth C. Baldwin, Esq., Counsel for Verizon (w/enclosures)
Keith Coppins, Tarpon Towers II, LLC

Message

From: Young, Mary [maryyoung@westportct.gov]
Sent: 8/31/2021 11:59:55 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 92 Greens Farms Road, Westport CT

Hi David,

My office is in receipt of correspondence from you dated 8/30/21 related to 92 Greens Farms Road.
Q: Can you forward an electronic version (PDF or link) to the same information?
This would make it easier to share with others should I receive such a request.

Thanks!
Mary

Mary Young
Planning and Zoning Director
(203) 341-1078
WESTPORT
CONNECTICUT

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 8/31/2021 2:17:37 PM
To: Young, Mary [maryyoung@westportct.gov]
Subject: RE: 92 Greens Farms Road, Westport CT
Attachments: Attachments.html

Citrix Attachments — Expires February 27, 2022

2021-08-30 Cover Letter to Hon. Jim Marpe.pdf	98.9 KB
2021-08-30 Technical Report.pdf	7.2 MB

Download Attachments

David Ball uses Citrix Files to share documents securely.

Mary,

I've attached a pdf copy of the Technical Report. If you need anything else, please let me know.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Young, Mary <maryyoung@westportct.gov>
Sent: Tuesday, August 31, 2021 12:00 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 92 Greens Farms Road, Westport CT

Hi David,

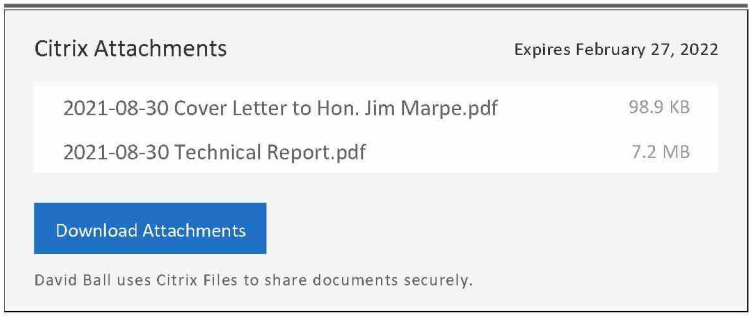
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98.9 KB
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From: Young, Mary [maryyoung@westportct.gov]
Sent: 8/31/2021 2:20:33 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: 92 Greens Farms Road, Westport CT

Thank you!

Mary Young
Planning and Zoning Director
(203) 341-1078
WESTPORT
CONNECTICUT

From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Tuesday, August 31, 2021 2:18 PM
To: Young, Mary <maryyoung@westportct.gov>
Subject: RE: 92 Greens Farms Road, Westport CT

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Sent: 9/10/2021 11:30:23 AM
To: ibloom@berchemmoses.com
CC: Pires, Philip C. [ppires@cohenandwolf.com]; Chiocchio, Lucia [LChiocchio@CUDDYFEDER.COM]; Motel, Kristen [KMotel@CUDDYFEDER.COM]
Subject: 92 Greens Farms Road, Westport CT
Attachments: 2021-08-30 Cover Letter to Hon. Jim Marpe.pdf

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Keith Coppins, Tarpon Towers II, LLC

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 9/10/2021 4:20:30 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]; Chiocchio, Lucia [LChiocchio@CUDDYFEDER.COM]; Motel, Kristen [KMotel@CUDDYFEDER.COM]
Subject: RE: 92 Greens Farms Road, Westport CT

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BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Friday, September 10, 2021 11:30 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>; Chiocchio, Lucia <LChiocchio@CUDDYFEDER.COM>; Motel, Kristen <KMotel@CUDDYFEDER.COM>
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Message

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Sent: 9/10/2021 4:40:25 PM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]; Chiocchio, Lucia [LChiocchio@CUDDYFEDER.COM]; Motel, Kristen [KMotel@CUDDYFEDER.COM]
Subject: RE: 92 Greens Farms Road, Westport CT

Thanks Ira. I left a message for Eileen Francis.

Have a good weekend.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, September 10, 2021 4:21 PM
To: Ball, David A. <DBall@cohenandwolf.com>
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Sent: 9/15/2021 4:29:46 PM
To: efrancis@westportct.gov
CC: Ira Bloom [ibloom@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: Municipal consultation meeting

Eileen,

It was nice speaking with you today. I can confirm that our group is available any time on September 24th. Hopefully that will work on your end. Unfortunately we could not find a common time that worked during the week of September 27th.

Please let me know if there is a good time to schedule the meeting on September 24th. If not, we can certainly look at dates and times during the week of October 4th.

Thank you.

David

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Message

From: Francis, Eileen [efrancis@westportct.gov]
Sent: 9/17/2021 3:35:40 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: Municipal consultation meeting

I'm in the process of trying to coordinate a mutually convenient time for the 24th. I will let you know ASAP, but probably won't know specifics until Monday or Tuesday of next week.

Have a nice weekend,

Eileen Francis
Selectman's Office Manager
203-341-1111

WESTPORT
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Sent: Wednesday, September 15, 2021 4:30 PM
To: Francis, Eileen <efrancis@westportct.gov>
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Sent: 9/17/2021 3:38:03 PM
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From: Francis, Eileen <efrancis@westportct.gov>
Sent: Friday, September 17, 2021 3:36 PM
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Cc: Ira Bloom <ibloom@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: Municipal consultation meeting

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Eileen,

It was nice speaking with you today. I can confirm that our group is available any time on September 24th. Hopefully that will work on your end. Unfortunately we could not find a common time that worked during the week of September 27th.

Please let me know if there is a good time to schedule the meeting on September 24th. If not, we can certainly look at dates and times during the week of October 4th.

Thank you.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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Message

From: Francis, Eileen [efrancis@westportct.gov]
Sent: 9/20/2021 11:59:36 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: Municipal consultation meeting

Attorney Ball:

After consultation with attendees, I propose scheduling this meeting in person here in Westport Town Hall on Friday, September 24 at 10:00 AM.

Once you confirm, I will send an Outlook contact including a number for teleconference participants.

Thanks,

Eileen Francis
Selectman's Office Manager
203-341-1111

WESTPORT
CONNECTICUT

From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Friday, September 17, 2021 3:38 PM
To: Francis, Eileen <efrancis@westportct.gov>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: Municipal consultation meeting

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Thank you Eileen. Have a good weekend.

David

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Sent: Friday, September 17, 2021 3:36 PM
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Subject: RE: Municipal consultation meeting

I'm in the process of trying to coordinate a mutually convenient time for the 24th. I will let you know ASAP, but probably won't know specifics until Monday or Tuesday of next week.

Have a nice weekend,

Eileen Francis
Selectman's Office Manager
203-341-1111

WESTPORT
CONNECTICUT

From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, September 15, 2021 4:30 PM
To: Francis, Eileen <efrancis@westportct.gov>
Cc: Ira Bloom <ibloom@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: Municipal consultation meeting

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Sent: 9/20/2021 3:35:55 PM
To: Francis, Eileen [efrancis@westportct.gov]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: Municipal consultation meeting

Eileen,

September 24th at 10 a.m. works for us. I don't know yet who will be attending in person, but I'll send you a separate e-mail with an e-mail address for each of the folks who will be participating on our end.

Thanks,
David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Francis, Eileen <efrancis@westportct.gov>
Sent: Monday, September 20, 2021 12:00 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: Municipal consultation meeting

Attorney Ball:

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Eileen Francis
Selectman's Office Manager
203-341-1111

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Subject: RE: Municipal consultation meeting

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Thank you Eileen. Have a good weekend.

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Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: Municipal consultation meeting

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Sent: Wednesday, September 15, 2021 4:30 PM
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Subject: Municipal consultation meeting

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Sent: 9/20/2021 3:45:34 PM
To: Francis, Eileen [efrancis@westportct.gov]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: Attendees for September 24th meeting

Eileen,

Here are the names and e-mail addresses for the people on our end who will be participating in the municipal consultation meeting this Friday. Thank you for helping to put this together.

David Ball - dball@cohenandwolf.com
Phil Pires - ppires@cohenandwolf.com
Keith Coppins - kcoppins@phoenixptrs.com
Doug Roberts - droberts-architect@outlook.com
Lucia Chiocchio - LChiocchio@CUDDYFEDER.COM
Kristen Motel - KMotel@CUDDYFEDER.COM
Martin Lavin - Martin.Lavin@csquaredsystems.com
David Walsh - david.walsh@smartlinkgroup.com
April Grasso - april.grasso@smartlinkgroup.com

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 9/23/2021 1:02:04 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: 'jmarpe@westportct.gov' [jmarpe@westportct.gov]; Francis, Eileen (EFRANCIS@westportct.gov) [efrancis@westportct.gov]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: 92 Greens Farm Road

Hi Dave. Looking forward to seeing you at 10 am tomorrow. I know you gave Eileen Francis a list of attendees, but could you please provide me (and I will pass it on to our team) with a list of attendees, including their titles, whom they are representing, and whether they will be there in person or by phone. Basically, this is just so we know who is coming and whom they represent. Thank you. On the town side, the following are expected, all in person except as noted:

Ira Bloom and Nick Bamonte, Town Attorneys
Jim Marpe, First Selectman
Lynn Scully, Interim Operations Manager
Alicia Mozian, Conservation Director
Pete Ratkiewich, DPW director
Mike Kisela, P&Z Department
David Maxson, Isotrope Wireless, Town Consultant (by phone).

Thank you. Ira

BERCHEM MOSES PC

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Sent: 9/23/2021 2:45:04 PM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: 'jmarpe@westportct.gov' [jmarpe@westportct.gov]; Francis, Eileen (EFRANCIS@westportct.gov) [efrancis@westportct.gov]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farm Road

Hello Ira. I'm looking forward to seeing you as well.

Are you planning to set up a Zoom call, or just have a telephonic conference call?

Our group will consist of the following:

In person:

Myself and Phil Pires – Cohen and Wolf, counsel for ARX
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Doug Roberts – ARX site designer

On the phone:

Keith Coppins – ARX Managing Director
Martin Lavin - C Squared Systems, RF engineer
April Grasso – Smartlink, Program Manager

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P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, September 23, 2021 1:02 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: 'jmarpe@westportct.gov' <jmarpe@westportct.gov>; Francis, Eileen (EFRANCIS@westportct.gov) <efrancis@westportct.gov>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: 92 Greens Farm Road

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Mike Kisela, P&Z Department
David Maxson, Isotrope Wireless, Town Consultant (by phone).

Thank you. Ira



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Sent: 9/23/2021 2:59:00 PM
To: Ball, David A. [dball@cohenandwolf.com]; Ira Bloom [ibloom@berchemmoses.com]
CC: Marpe, Jim [JMARPE@westportct.gov]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farm Road

We have a conference number set up (203-341-1186).

You are welcome to bring your own laptop and initiate a ZOOM from your account for your group, but I was not intending to set one up as all but one from the town representation are joining in person.

Thanks,

Eileen Francis
Selectman's Office Manager
203-341-1111

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To: Ball, David A. [dball@cohenandwolf.com]
CC: 'jmarpe@westportct.gov' [jmarpe@westportct.gov]; Francis, Eileen (EFRANCIS@westportct.gov) [efrancis@westportct.gov]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farm Road

They set up only a telephone conference line. The number to call is 203-341-1186. Thanks for the info. Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/4/2021 10:40:15 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: 92 Greens Farms Road

Dave: I am following up on our meeting of September 24, 2021.
My notes state the following:
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Thank you. I will give you a call.
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Ira W. Bloom
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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/5/2021 12:36:33 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 92 Greens Farms Road

Dave: Are you able to call me today? Ira

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From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 10/7/2021 9:57:01 AM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farms Road

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1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Monday, October 4, 2021 10:40 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: 92 Greens Farms Road

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From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/7/2021 10:39:53 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farms Road

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Thursday, October 7, 2021 9:57 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

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Sent: 10/7/2021 11:37:47 AM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farms Road
Attachments: CT1024 Westport Ground Lease 9-17-13 (redacted).pdf; CT1024 Westport Ground Lease Amendment No. 1_7-21-16 (redacted).pdf; CT1024 Westport Ground Lease Amendment No. 2_5-5-20 (redacted).pdf

Ira,

Here are our responses to each of the items on your list. If you have any questions about any of the items, feel free to call me.

1. Our client has contacted Terry Obey (Terry.Obey@ct.gov) at DOT. We have not yet received a response. Please let us know if the Town has any other contact person at DOT who we should attempt to contact.

2. As discussed, we look forward to a meeting at 55 Greens Farms Road, and to exploring whether that might be a viable alternative site.

3. At our meeting Alicia indicated that some of the concerns in the 2014 memo had been addressed around that time. Given that certain concerns had been addressed, and that the memo was last revised June 25, 2014, we asked in the meeting whether she would update the memo with a list of the current concerns. Please let us know if she will be doing that.

4. We double-checked and the balloon test has not been done. We will let you know when it is scheduled in case the Town wants to notify residents. Photo simulations also have not yet been done. To date, the only visual assessment prepared is the one that we sent to the Town as part of the Technical Report. Of course we will share with you photo simulations when they are completed.

5. Please see attached the redacted lease documents.

6. We do not have a contact person at the cemetery. Our client sent a letter to the address on file in the Town's tax assessment records, as this is the only way we know to contact the cemetery at this time. The cemetery has not responded. If the Town has a contact person and can facilitate our client's efforts to contact the cemetery, please let us know.

7. Yes, we will accommodate this request and work with you to schedule the public information session.

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OPTION AND LEASE AGREEMENT

THIS OPTION AND LEASE AGREEMENT ("Agreement"), dated as of the latter of the signature dates below (the "Effective Date"), is entered into by **Pradiv Mahesh and Sharuna Mahesh,** husband and wife, having a mailing address of 92 Green Farms Rd. Westport, Ct. 06880. ("Landlord") and **Florida Tower Partners, LLC**, a Delaware limited liability company d/b/a North Atlantic Towers, having a mailing address of 1001 Third Avenue West, Suite 420, Bradenton, FL 34205 ("Tenant").

BACKGROUND

Landlord owns or controls that certain plot, parcel or tract of land, together with all rights and privileges arising in connection therewith, located at 92 Green Farms Rd. Westport, in the County of Fairfield, State of Connecticut (collectively, the "Property") and which is more particularly described on Exhibit 1. Tenant desires to use a portion of the Property in connection with its federally licensed communications business. Landlord desires to grant to Tenant the right to use a portion of the Property in accordance with this Agreement.

The parties agree as follows:

1. OPTION TO LEASE.

(a) Landlord grants to Tenant an option (the "Option") to lease a certain portion of the Property containing approximately 2,500 square feet including the air space above such room/cabinet/ground space as described on attached Exhibit 2 for use as a Communication Facility, as defined below, as well as easements for the placement of utilities to service the Communication Facility and for ingress and egress from the nearest public right of way (collectively, the "Premises").

(b) During the Option Term (as defined below), and during the term of this Agreement, Tenant and its agents, engineers, surveyors and other representatives will have the right to enter upon the Property to perform inspections and studies to determine the suitability of the Premises for the Communication Facility, including but not limited to, inspect, examine, conduct soil borings, drainage testing, material sampling, radio frequency testing and other geological or engineering tests or studies of the Property (collectively, the "Tests"), to apply for and obtain licenses, permits, approvals, or other relief required of or deemed necessary or appropriate at Tenant's sole discretion for its use of the Premises and include, without limitation, applications for zoning variances, zoning ordinances, amendments, special use permits, and construction permits (collectively, the "Government Approvals"), initiate the ordering and/or scheduling of necessary utilities, and otherwise to do those things on or off the Property that, in the opinion of Tenant, are necessary in Tenant's sole discretion to determine the physical condition of the Property, the environmental history of the Property, Landlord's title to the Property and the feasibility or suitability of the Property for Tenant's Permitted Use, all at Tenant's expense. Tenant will not be liable to Landlord or any third party on account of any pre-existing defect or condition on or with respect to the Property, whether or not such defect or condition is disclosed by Tenant's inspection. Likewise, Landlord will not be liable to Tenant or its agents, employees or assigns on account of any pre-existing defect or condition on or with respect to the Property, except that Tenant shall be entitled to terminate this Agreement on account of any pre-existing defect that would prevent Tenant from making use of the Property as contemplated by this Agreement or that would have an adverse affect on Tenant's use of the

Property, in Tenant's sole discretion. Tenant will restore the Property to its condition as it existed at the commencement of the Option Term, reasonable wear and tear and casualty not caused by Tenant excepted. In addition, Tenant shall indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or claims arising directly out of Tenant's Tests. Notwithstanding the forgoing, should Tenant exercise the Option and construct the Communication Facility, then Tenant's obligation to restore the Premises shall be governed by section 13, however, any portion of the Property disturbed by Tenant that does not end up as part of the Premises shall be restored following completion of construction of the Communication Facility.

(c) In consideration of Landlord granting Tenant the Option, Tenant agrees to pay Landlord the sum of within thirty (30) business days of the Effective Date. The Option will be for an initial term of one (1) year commencing on the Effective Date (the "Initial Option Term") and may be renewed by Tenant for an additional one (1) year (the "Renewal Option Term") upon written notification to Landlord and the payment of an additional no later than ten (10) days prior to the expiration date of the Initial Option Term. The Initial Option Term and any Renewal Option Term are collectively referred to as the "Option Term." Additional extensions of the Option Term may be permitted upon mutual written agreement of the parties. Landlord acknowledges and agrees that no payments can be made to Landlord until Landlord has provided Tenant with an IRS form W-9.

(d) The Option may be sold, assigned or transferred at any time by Tenant to an Affiliate (as defined below) of Tenant or to any third party acquiring substantially all of the assets of Tenant in the market defined by the FCC and agreeing to be subject to the terms hereof. Otherwise, the Option may not be sold, assigned or transferred without the written consent of Landlord, such consent not to be unreasonably withheld, conditioned or delayed. From and after the date the Option has been sold, assigned or transferred by Tenant to a third party agreeing to be subject to the terms hereof, Tenant shall immediately be released from any and all liability under this Agreement, including the payment of any rental or other sums due, without any further action.

(e) During the Option Term, Tenant may exercise the Option by notifying Landlord in writing, with the date of such written notice being the "Exercise Date". If Tenant exercises the Option then Landlord leases the Premises to Tenant subject to the terms and conditions of this Agreement at the Exercise Date. If Tenant does not exercise the Option during the Option Term, this Agreement will terminate and the parties will have no further liability to each other. If Tenant fails to properly exercise the Option the Option shall terminate, and all rights and privileges granted hereunder shall be deemed surrendered, Owner shall retain all money paid for the Option, and no additional money shall be payable by either party to the other.

(f) If during the Option Term, or during the term of this Agreement if the Option is exercised, Landlord decides to subdivide, sell, or change the status of the zoning of the Premises, Property or any of Landlord's contiguous, adjoining or surrounding property (the "Surrounding Property,") or in the event of foreclosure, Landlord shall immediately notify Tenant in writing. Any sale of the Property shall be subject to Tenant's rights under this Agreement. Landlord agrees that during the Option Term, or during the Term of this Agreement if the Option is exercised, Landlord shall not initiate or consent to any change

in the zoning of the Premises, Property or Surrounding Property or impose or consent to any other restriction that would prevent or limit Tenant from using the Premises for the Permitted Use.

2. PERMITTED USE. Tenant may use the Premises for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of its communications fixtures and related equipment, cables, accessories and improvements, which may include a suitable support structure, associated antennas, equipment shelters or cabinets and fencing and any other items necessary to the successful and secure use of the Premises (collectively, the "Communication Facility"), as well as the right to test, survey and review title on the Property; Tenant further has the right but not the obligation to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, at no additional cost to Tenant or Landlord (collectively, the "Permitted Use"). Landlord and Tenant agree that any portion of the Communication Facility that may be conceptually described on Exhibit 1 will not be deemed to limit Tenant's Permitted Use. If Exhibit 1 includes drawings of the initial installation of the Communication Facility, Landlord's execution of this Agreement will signify Landlord's approval of Exhibit 1. For a period of ninety (90) days following the start of construction, Landlord grants Tenant, its subtenants, licensees and sublicensees, the right to use such portions of Landlord's contiguous, adjoining or Surrounding Property as described on Exhibit 1 as may reasonably be required during construction and installation of the Communication Facility. Tenant has the right to install and operate transmission cables, electric lines, telephone cables, and other utility infrastructure from the Property's main entry point to the Communication Facility, and to make Property improvements, alterations, upgrades or additions appropriate for Tenant's use ("Tenant Changes"). Tenant Changes include the right to construct a fence around the Premises and undertake any other appropriate means to secure the Premises at Tenant's expense. Tenant agrees to comply with all applicable governmental laws, rules, statutes and regulations relating to its use of the Communication Facility on the Property. Tenant has the right to modify, supplement, replace, upgrade, expand the equipment, antennas add additional equipment at any time or relocate the Communication Facility within the Premises at any time during the term of this Agreement at no additional rent or other charges to Landlord. Tenant or its subtenants will be allowed to make such alterations to the Property in order to accomplish Tenant's Changes, to add additional subtenant's equipment or upgrade an existing subtenant's equipment, or to insure that Tenant's Communication Facility complies with all applicable federal, state or local laws, rules or regulations.

3. TERM.

(a) The initial lease term will be ten (10) years (the "Initial Term"), commencing on the Exercise Date of the Option (the "Term Commencement Date"). The Initial Term will terminate on the ~~fifth (5th)~~ 10th anniversary of the Term Commencement Date.

(b) This Agreement will automatically renew for three (3) additional ten (10) year term(s) (each ten (10) year renewal term shall be defined as an "Extension Term"), upon the same terms and conditions unless Tenant notifies Landlord in writing of Tenant's intention not to renew this Agreement at least sixty (60) days prior to the expiration of the existing Term.

(c) If, at least sixty (60) days prior to the end of the final Extension Term, either Landlord or Tenant has not given the other written notice of its desire that the term of this Agreement end at the expiration of the final Extension Term, then upon the expiration of the final Extension Term this

Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter ("Annual Term") until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rental during such annual terms shall be equal to the rent paid for the last month of the final Extension Term. If Tenant remains in possession of the Premises after the termination of this Agreement then Tenant will be deemed to be occupying the Premises on a month-to-month basis (the "Holdover Term"), subject to the terms and conditions of this Agreement.

(d) The Initial Term, any Extension Terms, any Annual Terms and any Holdover Term are collectively referred to as the Term (the "Term").

4. RENT.

(a) Commencing in the month following the date the Term Commencement Date, , Tenant will pay Landlord on the first (1st) day of each calendar month in advance (the "Rent"), at the address set forth above. In any partial month occurring after the Rent Commencement Date, Rent will be prorated. The initial Rent payment will be forwarded by Tenant to Landlord within twenty (20) days after the Term Commencement Date, provided Landlord has provided Tenant with an IRS form W9, otherwise, the initial Rent payment will be forwarded by Tenant to Landlord within twenty (20) days after the Term Commencement Date and Tenant's receipt of Landlord's W9.

(b) The Rent shall increase annually by on the anniversary of the Term Commencement Date.

(c) As additional rent Landlord shall receive of the gross rents received by Tenant from subtenants. For the purposes of this section, "gross rents" shall mean the rent collected by Tenant from its subtenants for the subtenants' occupancyn of the Premises and use of the Communication Facility, but shall not include any payments or reimbursements for expenses or capital costs, including but not limited to, administration fees for the processing of applications to lease space on the Communication Facility, payments for engineering studies or other reports concerning the suitability of the Communication Facility, payment of any capital contribution or reimbursement for improvements to the Communication Facility, or, if necessary, the reimbursement of any utility or other operating expenses from a subtenant to Tenant. These additional rents shall be payable starting the first day of the month following the subtenants rent commencement date under their subleases with Tenant and shall escalate in accordance with the terms of the subleases. Upon the commencement of any increase in Rent due to additional revenue from a new subtenant, or upon Landlord's request, Tenant shall provide Landlord with Tenant's calculation of Landlord's new Rent, specifically detailing the amount of rent being paid by the new and any existing subtenants and the calculation of the twenty percent (20%) to be paid to Landlord. Landlord acknowledges and agrees that the first subtenant, or if the first subtenant's lease is terminated or cancelled, then the earliest sublease, shall be exempt from the additional payments to Landlord under this section 4(c).

(d) Along with the first Rent payment, Tenant shall also pay to Landlord a fee equal to as reimbursement for Landlord's legal fees incurred in the negotiation of this Agreement.

5. APPROVALS.

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for Tenant's Permitted Use and Tenant's ability to obtain and maintain all Government Approvals. Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for Tenant's Permitted Use under this Agreement and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals. Landlord shall reasonably cooperate with Tenant in all zoning and permitting activities. Landlord shall not be entitled to additional compensation for satisfying any zoning, permitting or approval requirements, but Landlord's cooperation shall be at no cost or expense to Landlord. Owner shall not take any action that would adversely affect Tenant's obtaining or maintaining any governmental approval, except any action that may be required by any federal, state or local jurisdiction following a reasonable attempt by Owner to get such requirements waived or dismissed. In the event that Owner's actions has a material adverse affect on Tenant's use of the Premises or on Tenant's ability to obtain any government approvals, then Tenant shall have the right to terminate this Agreement.

(b) Tenant has the right at its expense to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

6. TERMINATION. This Agreement may be terminated, without penalty or further liability, as follows:

(a) by either party on thirty (30) days prior written notice, if the other party remains in default under Section 15 of this Agreement after the applicable cure periods;

(b) by Tenant upon written notice to Landlord, if Tenant is unable to obtain, or maintain, any required approval(s) or the issuance of a license or permit by any agency, board, court or other governmental authority necessary for the construction or operation of the Communication Facility as now or hereafter intended by Tenant; or if Tenant determines, in its sole discretion that the cost of or delay in obtaining or retaining the same is commercially unreasonable;

(c) by Tenant, upon written notice to Landlord, if Tenant determines, in its sole discretion, due to the title report results or survey results or the results of any of the other tests or inspections permitting by this Agreement, that the condition of the Premises is unsatisfactory for its intended uses or if Landlord is unable to obtain a subordination, non-disturbance and attornment agreement from Landlord's mortgagee. With respect to any mortgage of Landlord that exists on the Property as of the Effective Date, Landlord shall also have the right to terminate the Agreement if any such mortgage requires the mortgagee's consent to this Agreement and the mortgagee has refused to consent. However, such right to terminate must be exercised within fifteen (15) days of Landlord or Tenant's receipt of notice from the mortgagee refusing to consent or otherwise execute a subordination, non-disturbance and attornment agreement.;

(d) by Tenant upon written notice to Landlord for any reason or no reason, at any time prior to commencement of construction by Tenant; or

(e) by Tenant upon sixty (60) days' prior written notice to Landlord for any reason or no reason, so long as Tenant pays Landlord a termination fee equal to three (3) months' Rent, at the then-current rate, provided, however, that no such termination fee will be payable on account of the termination of this Agreement by Tenant under any one or more of Sections 5 Approvals, 6(a) Termination, 6(b) Termination, 6(c) Termination, 8 Interference, 11(d) Environmental, 18 Condemnation, 19 Casualty or 24(l) Severability of this Agreement.

7. INSURANCE.

(a) During the Term, Tenant will carry, at its own cost and expense, the following insurance: (i) "All Risk" property insurance for its property's replacement cost; (ii) Workers' Compensation Insurance as required by law; and (iii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford minimum protection of Three Million Dollars ($3,000,000) combined single limit, per occurrence and in the aggregate, providing coverage for bodily injury and property damage. Tenant's CGL insurance shall contain a provision including Landlord as an additional insured to the extent of the indemnity provided by Tenant under this Agreement. Any such policy shall require the approval of Landlord's mortgagee.

(b) Tenant shall pay Landlord's insurance premium for insuring Landlord's Property against liability caused by the Communication Facility. Tenant agrees to pay the premium amount within thirty (30) days of receipt of a bill from Landlord, but in no event shall it be later than the due date specified in the bill, unless Landlord provides the bill after the due date, in which case Tenant shall remit payment within five (5) days of receipt of the bill. If the premium for such additional insurance is of an amount that Tenant is unwilling to pay at any time during the Term or Renewal Terms of this Agreement, then Tenant shall have the option of terminating this Agreement and removing the Communication Facility. Tenant shall be required to continue to pay for the insurance until such time as the Communication Facility has been removed from Landlord's Property. In the event that Landlord is unable to insure the Property due to the presence of the Communication Facility, then Landlord shall provide written notice of the same to Tenant and Tenant shall have sixty (60) days within which to procure insurance on Landlord's behalf. If Tenant is unable to procure insurance for the Property, then Landlord shall have the right to terminate this Agreement upon written notice to Tenant.

(c) Notwithstanding anything in this Agreement to the contrary, Tenant shall not be obligated to pay Landlord's existing property insurance premiums. Tenant is only responsible for the insurance premiums related to or arising out of the provisions of this Agreement and/or any loss or damage caused by the Communication Facility.

8. INTERFERENCE.

(a) Landlord will not grant, after the date of this Agreement, a lease, license or any other right to any third party for the use of the Property, if such use may in any way adversely affect or interfere with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will notify Tenant in writing prior to granting any third party the right to install and operate

communications equipment on the Property. In no event may Landlord grant any third party the right to use Landlord's Property for a wireless communication facility without the prior written consent of Tenant which may be withheld in Tenant's sole discretion.

(b) Landlord will not use, nor will Landlord permit its employees, tenants, licensees, invitees, agents or independent contractors to use, any portion of the Property in any way which interferes with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will cause such interference to cease within twenty-four (24) hours after receipt of notice of interference from Tenant. In the event any such interference does not cease within the aforementioned cure period, Landlord shall cease all operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected.

9. INDEMNIFICATION.

(a) Tenant agrees to indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Communication Facility or Tenant's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Landlord, its employees, agents or independent contractors.

(b) Landlord agrees to indemnify, defend and hold Tenant harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act of Landlord, its employees or agents, or Landlord's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Tenant, its employees, agents or independent contractors.

10. WARRANTIES.

(a) Tenant and Landlord each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power and authority to enter into this Agreement and bind itself hereto through the party set forth as signatory for the party below.

(b) Landlord represents, warrants and agrees that:

(i) Landlord solely owns the Property as a legal lot in fee simple, or controls the Property by lease or license;

(ii) the Property is not and will not be encumbered by any liens, restrictions, mortgages, covenants, conditions, easements, leases, or any other agreements of record or not of record, which would adversely affect Tenant's Permitted Use and enjoyment of the Premises under this Agreement;

(iii) as long as Tenant is not in default then Landlord grants to Tenant sole, actual, quiet and peaceful use, enjoyment and possession of the Premises;

(iv) Landlord's execution and performance of this Agreement will not violate any laws, ordinances, covenants or the provisions of any mortgage, lease or other agreement binding on Landlord; and

(v) if the Property is or becomes encumbered by a deed to secure a debt, mortgage or other security interest, Landlord will provide promptly to Tenant a mutually agreeable subordination, non-disturbance and atonement agreement executed and notarized by Landlord's mortgagee.

11. ENVIRONMENTAL.

(a) Landlord represents and warrants that to the best of his knowledge, except as may be identified in Exhibit 11 attached to this Agreement,

(i) the Property, as of the date of this Agreement, is free of hazardous substances, including asbestos-containing materials and lead paint to the best of their knowledge, and

(ii) the Property has never been subject to any contamination or hazardous conditions resulting in any environmental investigation, inquiry or remediation to the best of the Landlord's knowledge. Landlord and Tenant agree that each will be responsible for compliance with any and all applicable governmental laws, rules, statutes, regulations, codes, ordinances, or principles of common law regulating or imposing standards of liability or standards of conduct with regard to protection of the environment or worker health and safety, as may now or at any time hereafter be in effect, to the extent such apply to that party's activity conducted in or on the Property.

(b) As soon as reasonably practical upon the full execution of this Agreement, Tenant or Tenant's vendor shall perform a "Phase One Environmental Site Assessment" (the "Phase One") of the Premises and shall provide a copy of the report to Landlord. In the event that the Phase One discloses the presence of any "Recognized Environmental Conditions" that, in Tenant's opinion, would necessitate soil, ground water, or other invasive testing to determine the presence of hazardous materials, then Landlord shall have the right to terminate this Agreement within fifteen (15) days of receipt of the Phase One. Notwithstanding the foregoing, Tenant shall have the right to decide to forgo any additional testing, if legally permissible, and construct the Communication Facility, in which event Landlord may not terminate the Agreement under this paragraph. However, in such an event, Landlord shall not be liable to Tenant for any damages or losses of Tenant due to the presence of any hazardous substances on or under the Premises. Further, in such event, the Landlord shall not be liable to any third party, including any governmental or environmental agency for the costs of any clean-up, fines, penalties, fees, or expenses of any type resulting from the tenant having proceeded without further testing or remediation, all of which costs the Tenant shall pay and for which the Tenant shall be solely liable..

12. ACCESS. At all times throughout the Term of this Agreement, and at no additional charge to Tenant, Tenant, its subtenants, and their employees, agents, and subcontractors, will have twenty-four (24) hour per day, seven (7) day per week pedestrian and vehicular access ("Access") to and over the Property, from an open and improved public road to the Premises, for the installation, maintenance and operation of the Communication Facility and any utilities serving the Premises. As may be described more fully in

Exhibit 1, Landlord grants to Tenant such access and Landlord agrees to provide to Tenant such codes, keys and other instruments necessary for such access at no additional cost to Tenant.

13. REMOVAL/RESTORATION. All portions of the Communication Facility brought onto the Property by Tenant will be and remain Tenant's personal property and, at Tenant's option, may be removed by Tenant at any time during the Term. Landlord covenants and agrees that no part of the Communication Facility constructed, erected or placed on the Premises by Tenant will become, or be considered as being affixed to or a part of, the Property, it being the specific intention of Landlord that all improvements of every kind and nature constructed, erected or placed by Tenant on the Premises will be and remain the property of Tenant and may be removed by Tenant at any time during the Term. Upon the expiration or earlier termination of this Agreement, or at Tenant's option, all personal property and trade fixtures of Tenant, specifically including towers, buildings, and electrical and telephone conduit or lines shall be removed by Tenant within sixty (60) days after the expiration or earlier termination of this Agreement. Notwithstanding the foregoing, upon expiration or earlier termination of this Agreement, Tenant shall not be required to remove any foundation more than five (5) feet below grade level. In the event that Tenant has not vacated the Premises as required herein within said sixty (60) day period, then Tenant's tenancy shall continue on a month-to-month basis and Tenant shall pay rent to Owner equal to the rent in effect the immediately preceding year increased by three (3) percent. Rent during such holdover term shall continue to increase at three (3) percent on each anniversary of the Term Commencement Date until such time as Tenant has vacated the Premises as required herein

14. MAINTENANCE/UTILITIES.

(a) Tenant will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. Landlord will maintain and repair the Property and access thereto and all areas of the Premises where Tenant does not have exclusive control, in good and tenantable condition, subject to reasonable wear and tear and damage from the elements.

(b) Tenant shall have the right, at its expense, to install or improve utilities servicing Landlord's Property (including, but not limited to, the installation of emergency power generators, power lines and utility poles). Owner agrees to reasonably cooperate with Tenant in its efforts to obtain, install and connect the Communications Facility to existing utility service at Tenant's expense, and agrees to cooperate should existing utility services need to be upgraded to accommodate Tenant's use, provided such upgrades are at Tenant's sole cost and expense and do not interfere with Landlord's use and enjoyment of the Property. Tenant will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by Tenant on the Premises. The final location of any utility easements on the Property shall be in a location reasonably acceptable to Tenant, Landlord, and the local utility provider.

(c) Landlord hereby grants to any utility company providing utility services to Tenant access to the Premises, and upon the Premises, for the purpose of constructing, operating and maintaining such lines, wires, circuits, and conduits, associated equipment cabinets and such appurtenances thereto, as such utility companies may from time to time require in order to provide such services to the Premises.

(d) Landlord agrees to execute all necessary documentation required by a utility or telephone company to provide services to the Premises, including but not limited to separate easement agreements between the Landlord and the utility provider. Such cooperation by Landlord shall be at no cost or expense to Landlord.

15. DEFAULT AND RIGHT TO CURE.

(a) The following will be deemed a default by Tenant and a breach of this Agreement:

(i) non- payment of Rent if such Rent remains unpaid for more than ten (10) days after written notice from Landlord to Tenant; or

(ii) Tenant's failure to perform any other term or condition under this Agreement within thirty (30) days after receipt of written notice from Landlord specifying the failure. No such failure, however, will be deemed to exist if Tenant has commenced to cure such default within such period and provided that such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Tenant.

(b) If Tenant remains in default beyond any applicable cure period, Landlord will have the right to exercise any and all rights and remedies available to it under law and equity.

(c) The following will be deemed a default by Landlord and a breach of this Agreement:

(i) Failure to provide access to the Premises within forty eight (48) hours of receipt of written notice of such default from Tenant;

(ii) Failure to cure an interference problem within thirty (30) days after receipt of written notice of such default; or

(iii) Landlord's failure to perform any term, condition or breach of any warranty or covenant under this Agreement within thirty (30) days after receipt of written notice from Tenant specifying the failure. No such failure, however, will be deemed to exist if Landlord has commenced to cure the default within such period and provided such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Landlord.

(d) If Landlord remains in default beyond any applicable cure period, Tenant will have:

(i) the right to cure Landlord's default and deduct all costs and expenses related to curing Landlord's default from Rent; and

(ii) any and all other rights available to it under law and equity.

16. ASSIGNMENT/SUBLEASE.

(a) Tenant has the right to sublease all or any portion of the Premises during the Term and Renewal Terms of this Agreement, without Owner's consent, but with notice to the Owner subject to the following conditions (i) the term of the sublease may not extend beyond the Term and any Renewal

Terms of this Agreement, and, (ii) all subleases are subject to all the terms, covenants, and conditions of this Agreement.

(b) Tenant shall have the right to assign or transfer its rights under this Agreement, in whole or in part, at any time, with Landlord's consent, which consent shall not be unreasonably withheld, conditioned or delayed or premised upon the payment of additional monetary compensation to Landlord other than the continuation of any existing monetary obligations by the assignee under this Agreement. After delivery by Tenant of an instrument of assumption by an assignee that assumes all of the obligations of Tenant under this Agreement to Landlord, Tenant will be relieved of all liability thereafter.

(c) Tenant may assign, pledge, mortgage or otherwise encumber its interest in this Agreement to any third party (a "Leasehold Lender") as security for any loan to which Landlord hereby consents without requirement of further evidence of such consent. The Leasehold Lender may secure its interest in such a loan by Tenant's grant of a leasehold mortgage and assignment of rents, leases, contracts, etc. (the "Leasehold Mortgage") encumbering all of Tenant's interest in this Agreement and the Premises; and a security agreement and other security documents (the "Security Agreements") that will encumber and grant a security interest in all of Tenant's now or hereafter existing tangible or intangible personal property located on, derived from, or utilized in connection with the Premises and the Lease (collectively the "Personal Property"). No such assignment, pledge, mortgage or other encumbrance shall in any way take priority over rents owed to Landlord, whether or not such royalties are current, past and/or prospective.

(i). Successors. Any Leasehold Lender under any note or loan secured by a Leasehold Mortgage or deed of trust lien on Tenant's interest (or any successor's interest to Tenant's interest) who succeeds to such interest by foreclosure, deed in lieu of foreclosure, or otherwise, may take title to and shall have all of the rights of Tenant under this Agreement including the right to exercise any renewal option(s) or purchase option(s) set forth in this Agreement, and to assign this Agreement as permitted hereunder. Any such Leasehold Lender or successor to Tenant's interest shall assume all of Tenant's obligations and responsibilities under this Agreement and upon such assumption, Landlord shall have the right to seek recovery from such Leasehold Lender or successor in the event of a default of the terms of this Agreement.

(ii). Default Notice. Landlord shall deliver to the initial Leasehold Lender and any subsequent Leasehold Lender(s) (for such subsequent Leasehold Lender(s) at the address as Tenant or Leasehold Lender shall affirmatively inform Landlord of by written notice hereof) a copy of any default notice given by Landlord to Tenant under this Agreement. No default notice from Landlord to Tenant shall be deemed effective against the Leasehold Lender unless sent to the notice address for Leasehold Lender (if provided to Landlord as set forth herein) or as amended from time to time.

(iii). Notice and Curative Rights. If Tenant defaults on any obligations under this Agreement then Landlord shall accept a cure thereof by the Leasehold Lender within within the same time periods as proscribed for a cure by Tenant under this Agreement. If curing a non-monetary default requires possession of the Premises then Landlord agrees to give the Leasehold Lender a reasonable time to obtain possession of the Premises and to cure such default. In no event shall Leasehold Lender's cure of a non-monetary default take longer than ninety (90) days.

(iv). No Surrender, Termination or Cancellation Without Notice to Leasehold Lender. This Agreement will not be surrendered, terminated or cancelled unless such action is permitted by other sections of this Agreement, and then only upon thirty (30) days written notice to Leasehold Lender.

(v). New Lease Following Bankruptcy. If this Agreement is terminatedin bankruptcy then Landlord will use commercially reasonable efforts to enter into a new lease with Leasehold Lender (or its designee) on the same terms as this Agreement as long as Leasehold Lender pays all past due amounts under this Agreement within thirty (30) calendar days of notice of such termination. The rent under any such new lease shall be brought up to fair market value to be determined by a licensed appraiser to be chosen by Landlord and Leasehold Lender. In no event may the rent under any such new lease be lower than the rent due under this Agreement at the time of termination in bankruptcy, even if the appraiser determines that the fair market rent is less than what was due under this Agreement.

(vi). Notice. Notices to Leasehold Lender shall be sent to such address as affirmatively provided above or in a later writing for subsequent Leasehold Lender(s) to Landlord by Tenant from time to time and as may be amended from time to time by written notice to Landlord from Tenant.

(vii). Leasehold Lender. Tenant shall be required to notify Landlord of the existence of the Leasehold Lender by written notification send pursuant to section 17, below. Any changes to the identity of the Leasehold Lender must be provided to Landlord by written notification. Landlord's obligations under this section 7(b) shall only apply in the event Landlord has been notified by Tenant or Leasehold Lender of the existence of the Leasehold Lender along with Leasehold Lender's notice address. Landlord shall not be liable for failure to abide by the obligations of this section 7(a) if Tenant or Leasehold Lender has not sent to Landlord written notification containing such information as it may be changed or updated from time to time

17. NOTICES.

(a) All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered, or by personal delivery. Notices will be addressed to the parties as follows:

If to Tenant: Florida Tower Partners, LLC, 1001 Third Avenue West, Suite 420, Bradenton, FL 34205; Re: CT1024 Westport.

If to Landlord: Pradiv and Sharuna Mahesh 92 Green Farms Rd. Westport, CT. 06880

Either party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other as provided herein.

(b) In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Landlord or its successor will send the documents listed below in this subsection (b) to Tenant. Until Tenant receives all such documents, Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement.

i. Old deed to Property

ii. New deed to Property

iii. Bill of Sale or Transfer

iv. Copy of current Tax Bill

v. Full contact information for new Landlord including phone number(s)

18. CONDEMNATION. In the event Landlord receives notification of any condemnation proceedings affecting the Property, Landlord will provide notice of the proceeding to Tenant within forty-eight (48) hours. If a condemning authority takes all of the Property, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Agreement will terminate as of the date the title vests in the condemning authority. The parties shall be entitled to make claims in any condemnation proceeding for value of their respective interests in the Property (which for Tenant may include, where applicable, the value of the Communication Facility, moving expenses, prepaid Rents, and business dislocation expenses). Sale of all or part of the Landlord's Property including the Premises to a purchaser with the power of eminent domain in the face of the exercise of the power shall be treated as a taking by condemnation

19. CASUALTY. If any portion of the Landlord's Property or Communication Facility is damaged by any casualty and such damage adversely affects Tenant's use of the Premises, this Agreement shall terminate as of the date of casualty if Tenant gives written notice of the same within thirty (30) days after Tenant receives notice of such casualty.

20. WAIVER OF LANDLORD'S LIENS. Landlord waives any and all lien rights it may have, statutory or otherwise, concerning the Communication Facility or any portion thereof. The Communication Facility shall be deemed personal property for purposes of this Agreement, regardless of whether any portion is deemed real or personal property under applicable law; Landlord consents to Tenant's right to remove all or any portion of the Communication Facility from time to time in Tenant's sole discretion and without Landlord's consent. Nothing in this section shall be deemed to limit or otherwise waive any of Landlord's rights or remedies against Tenant in the event of a default by Tenant pursuant to section 15, above.**21. TAXES**. Landlord shall be responsible for payment of all ad valorem taxes levied upon the lands, improvements and other property of Landlord. Tenant shall be responsible for all taxes levied upon Tenant's leasehold improvements (including Tenant's equipment building and tower) on the Premises. Landlord shall provide Tenant with copies of all assessment notices on or including the Premises immediately upon receipt, along with sufficient written documentation detailing any assessment increases attributable to the leasehold improvements , but in no event later than thirty (30) days after receipt by Landlord.

22. SALE OF PROPERTY.

(a) Landlord shall not be prohibited from the selling, leasing or use of any of the Property or the Surrounding Property except as provided below.

(b) If Landlord, at any time during the Term of this Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or surrounding property, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Agreement and Tenant's rights hereunder. In the event the Property is transferred, the new landlord shall have a duty at the time of such

transfer to provide Tenant with a completed IRS Form W-9, or its equivalent, and other related paperwork to effect a transfer in Rent to the new landlord.

(c) Landlord agrees not to sell, lease or use any areas of the Property or Surrounding Property for the installation, operation or maintenance of other wireless communications facilities and will not grant, create, or suffer any claim, lien, encumbrance, easement, restriction, or other charge or exception to title to the Property and the Premises that would have a material adverse affect on Tenant's use of the Premises.

(d) The provisions of this Section shall in no way limit or impair the obligations of Landlord under this Agreement, including interference and access obligations.

24. MISCELLANEOUS.

(a) Amendment/Waiver. This Agreement cannot be amended, modified or revised unless done in writing and signed by Landlord and Tenant. No provision may be waived except in a writing signed by both parties. The failure by a party to enforce any provision of this Agreement or to require performance by the other party will not be construed to be a waiver, or in any way affect the right of either party to enforce such provision thereafter.

(b) Limitation of Liability. Except for the indemnity obligations set forth in this Agreement, and otherwise notwithstanding anything to the contrary in this Agreement, Tenant and Landlord each waives any claims that each may have against the other with respect to consequential, incidental or special damages, however caused, based on any theory of liability.

(c) Bind and Benefit. The terms and conditions contained in this Agreement will run with the Property and bind and inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.

(d) Entire Agreement. This Agreement and the exhibits attached hereto, all being a part hereof, constitute the entire agreement of the parties hereto and will supersede all prior offers, negotiations and agreements with respect to the subject matter of this Agreement.

(e) Governing Law. This Agreement will be governed by the laws of the state in which the Premises are located, without regard to conflicts of law.

(f) Interpretation. Unless otherwise specified, the following rules of construction and interpretation apply:

(i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof;

(ii) use of the term "including" will be interpreted to mean "including but not limited to";

(iii) whenever a party's consent is required under this Agreement, except as otherwise stated in this Agreement or as same may be duplicative, such consent will not be unreasonably withheld, conditioned or delayed;

(iv) exhibits are an integral part of this Agreement and are incorporated by reference into this Agreement;

(v) use of the terms "termination" or "expiration" are interchangeable;

(vi) reference to a default will take into consideration any applicable notice, grace and cure periods;

(vii) to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Agreement, the ambiguity shall not be resolved on the basis of who drafted the Agreement; and

(viii) the singular use of words includes the plural where appropriate.

(h) Affiliates. All references to "Tenant" shall be deemed to include any Affiliate of Tenant using the Premises for any Permitted Use or otherwise exercising the rights of Tenant pursuant to this Agreement. "Affiliate" means with respect to a party to this Agreement, any person or entity that (directly or indirectly) controls, is controlled by, or under common control with, that party. "Control" of a person or entity means the power (directly or indirectly) to direct the management or policies of that person or entity, whether through the ownership of voting securities, by contract, by agency or otherwise.

(i) Survival. Any provisions of this Agreement relating to indemnification shall survive the termination or expiration hereof. In addition, any terms and conditions contained in this Agreement that by their sense and context are intended to survive the termination or expiration of this Agreement shall so survive.

(j) W-9. Landlord agrees to provide Tenant with a completed IRS Form W-9, or its equivalent, upon execution of this Agreement and at such other times as may be reasonably requested by Tenant.

(k) No Electronic Signature/No Option. The submission of this Agreement to any party for examination or consideration does not constitute an offer, reservation of or option for the Premises based on the terms set forth herein. This Agreement will become effective as a binding Agreement only upon the handwritten legal execution, acknowledgment and delivery hereof by Landlord and Tenant.

(l) Severability. If any provision of this Agreement is held invalid, illegal or unenforceable by a court or agency of competent jurisdiction, (1) the validity, legality and enforceability of the remaining provisions of this Agreement are not affected or impaired in any way if the overall purpose of the Agreement is not rendered impossible and the original purpose, intent or consideration is not materially impaired; and (2) the parties shall negotiate in good faith in an attempt to agree to another provision (instead of the provision held to be invalid, illegal or unenforceable) that is valid, legal and enforceable and carries out the parties' intentions to the greatest lawful extent. If any such action or determination renders the overall performance of this Agreement impossible or materially impairs the original purpose, intent or consideration of this Agreement, and the parties are, despite the good faith efforts of each, unable to amend this Agreement to retain the original purpose, intent and consideration in compliance with that court or agency determination, either party may terminate this Agreement upon sixty (60) days' prior written notice to the other party.

(m) Counterparts. This Agreement may be executed in two (2) or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties. All parties need not sign the same counterpart.

(n) Landlord shall execute and acknowledge and deliver to Tenant for recording a Memorandum of this Agreement, and if necessary to correct or otherwise change the location of the Premises or other terms, a Corrected Memorandum of this Agreement (each a "Memorandum") upon Tenant's reasonable request to properly memorialize and give notice of this Agreement in the public records. Tenant will record such Memoranda at Tenant's sole cost and expense.

(o) Landlord agrees to pay when due all taxes, charges, judgments, liens, claims, assessments, and/or other charges outstanding which are levied upon Landlord or the Property and which are or in the future could become liens upon the Property, in whole or in any part (individually or collectively, "Liens"). Upon failure of the Landlord to pay the Liens when due as provided above, Tenant at its option, may pay said Liens. Tenant shall have the right to setoff and offset any sum so paid by Tenant and any and all costs, expenses and fees (including reasonable attorney's fees) incurred in effecting said payment, against Rents or against any other charges payable by Tenant to Landlord under the terms of this Agreement. In the event that Tenant elects not to set off or offset the amounts paid by Tenant against Rents or in the event that the amounts paid by Tenant exceed the Rents payable to Landlord for the then term of the Agreement, Landlord shall reimburse Tenant for all amounts paid by Tenant (or not offset) immediately upon demand. Any forbearance by Tenant in exercising any right or remedy provided in this paragraph or otherwise afforded by law shall not be deemed a waiver of or preclude the later exercise of said right or remedy. Notwithstanding the foregoing, Landlord has no liability to pay Tenant's personal property taxes or any increase in Landlord's real property taxes that are attributable to the Communications Facility.

25. ESTOPPEL CERTIFICATES. Landlord and Tenant shall from time to time, within ten (10) days after receipt of request from the other, deliver a written statement addressed to the requesting party and/or their mortgagee certifying, if true:

(a) that this Agreement is unmodified and in full force and effect (or if modified that this Agreement as so modified is in full force and effect);

(b) that the agreement attached to the certificate is a true and correct copy of this Agreement, and all amendments hereto;

(c) that to the knowledge of the responding party, the requesting party has not previously assigned or hypothecated its rights or interests under this Agreement, except as described in such statement with as much specificity as Landlord is able to provide;

(d) the term of this Agreement and the Rent then in effect and any additional charges;

(e) the date through which Tenant has paid the Rent;

(f) that the requesting party is not in default under any provision of this Agreement (or if in default, the nature thereof in detail) and a statement as to any outstanding obligations on the part of the parties; and

(g) such other matters as are reasonably requested by the requesting party.

Without in any way limiting the requesting party's remedies which may arise out of the responding party's failure to timely provide an estoppel certificate as required herein, the failure to deliver such certificate within such time shall be conclusive (i) that this Agreement is in full force and effect, without modification except as may be represented by the requesting party; (ii) that there are no uncured defaults; and (iii) that no Rent for the then current month, has been paid in advance by Tenant.

[SIGNATURES APPEAR ON THE NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused this Agreement to be effective as of the last date written below.

"LANDLORD"

PRADIV MAHESH AND SHARUNA MAHESH

By: _____
Print Name: Pradiv Mahesh
Date: 9/9/2013

By: _____
Print Name: Sharuna Mahesh
Date: 9/9/2013

Witnesses for Landlord

Sign: _____
Print: Ravi Pillai

Sign: _____
Print: Keith Coppins

Sign: _____
Print: Ravi Pillai

Sign: _____
Print: Keith Coppins

"TENANT"

FLORIDA TOWER PARTNERS, LLC,
a Delaware limited liability company
d/b/a North Atlantic Towers

By: _____
Print: Brett Buggeln
Title: Manager/President
Date: 9/17/13

Witnesses for Tenant:

Sign: _____
Print: Rhea D. Oberg

Sign: _____
Print: Todd A. Brannon

EXHIBIT 1

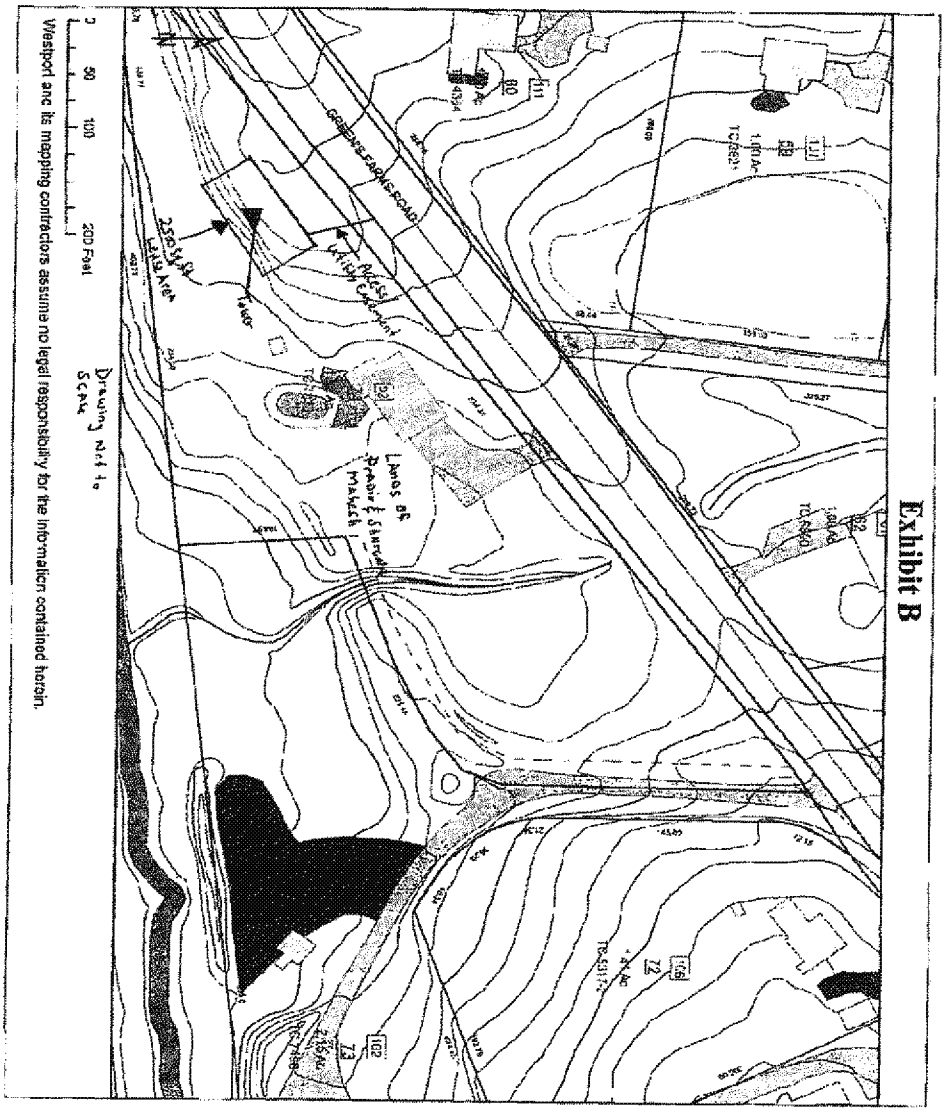
DESCRIPTION OF PROPERTY

That certain piece or parcel of land commonly known as 92 Greens Farms Road, Westport, Connecticut, Parcel ID E06 / 074, and more particularly described in that certain Statutory Warranty Deed dated June 1, 2004 between Jacqueline M. Zimkin, and Pradiv Mahesh and Sharuna Mahesh, as joint tenants with rights of survivorship, and recorded June 2, 2004 at O.R. Volume 2415 Page 002 by the Westport Town Clerk.

EXHIBIT 2

PREMISES

a) Real property comprised of approximately two thousand five hundred (2,500) square feet of land
b) Non – exclusive easement required to run utility lines and cables
c) Non – exclusive easement across Property for access



1. *This Exhibit may be replaced by a land survey of the Premises at Tenant's sole cost and expense, together with non-exclusive easements for utility lines and cables to service the Premises, and a non-exclusive easement for ingress and egress across Owner's Property to the Premises.*
2. *Setback of the Premises from the Owner's Property lines shall be the distance required by the applicable governmental authorities.*
3. *Width of access road, if any, shall be the width required by the applicable governmental authorities, including police and fire departments.*

FIRST AMENDMENT TO OPTION AND LEASE AGREEMENT

This First Amendment to Option and Lease Agreement ("First Amendment"), dated as of the latter of the signature dates, below, is by and between **Pradiv Mahesh and Sharuna Mahesh**, husband and wife, having a mailing address of 92 Green Farms Road, Westport, CT 06880 ("Landlord") and **Florida Tower Partners, LLC**, a Delaware limited liability company, having a mailing address of 1001 Third Avenue West, Suite 420, Bradenton, FL 34205 ("Tenant").

Landlord and Tenant have entered into an Option and Lease Agreement dated September 17, 2013 (the "Agreement") whereby Landlord granted Tenant an option to lease a portion of Landlord's Property for the construction and operation of a Communication Facility located at 92 Green Farms Road, Westport, Fairfield County, Connecticut; and

Landlord and Tenant desire to extend the Option Term to provide Tenant with additional time for evaluation of the Property and for obtaining all necessary Government Approvals; and

Tenant desires to assign the Agreement to an affiliated entity and Landlord is willing to consent to such assignment.

NOW THEREFORE, in consideration of the mutual covenants contained herein and such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. The Option Term is hereby extended to that date which is two (2) years following the full execution of this First Amendment. Landlord and Tenant hereby acknowledge and agree that the Agreement shall be deemed to have continued in full force and affect during any time in which the Option Term had expired prior to the execution of this First Amendment so that the Option Term shall have continued, and the Agreement shall have remained in full force and affect, from the effective date of the Option Term described in the Agreement and the expiration of the Option Term as extended herein.

2. In exchange for the granting of the extension to the Option Term described above, Tenant shall pay to Landlord [redacted] within ten (10) days of full execution of this First Amendment. Failure by Tenant to pay the sum required herein within such ten (10) day period will result in this First Amendment being automatically null and void and of no further force and affect.

3. Landlord hereby consents to Tenant's assignment of the Agreement to Tarpon Towers II, LLC, a Delaware limited liability company and agrees that upon Landlord's receipt of an instrument of assignment in which Tarpon Towers II, LLC, assumes all rights, duties, responsibilities and obligations of Tenant, Florida Tower Partners, LLC, shall be released from all liability under the Agreement. Landlord's consent to the assignment herein shall not be deemed a consent to any other assignments or transfers and Tenant shall continue to be required to seek Landlord's consent to future transfers, to the extent required by the Agreement.

4. Except as modified herein, the Agreement remains in full force and affect. All capitalized words and phrases not herein defined shall carry the same definition as found under the Agreement. In the event of a contradiction of discrepancy between the terms of the Agreement and this First Amendment, the terms of this First Amendment shall govern and control.

Signature Page to Follow

7/14/16

IN WITNESSES WHEREOF, Landlord and Tenant have executed this First Amendment as of the latter of the signatures, below, intending to be legally bound thereby.

"LANDLORD"
PRADIV MAHESH AND SHARUNA MAHESH

By: Pradiv Mahesh
Print Name: Pradiv Mahesh
Date: 7/18/16

By: Sharuna Mahesh
Print Name: Sharuna Mahesh
Date: 7/14/16

Witnesses for Landlord

Sign:
Print:

Sign:
Print:

Sign:
Print:

Sign:
Print:

"TENANT"
FLORIDA TOWER PARTNERS, LLC.
a Delaware limited liability company

By:
Print: Bret Buggeln
Title: Manager/President
Date: 7/21/16

Witnesses for Tenant:

Sign:
Print:

Sign:
Print:

SECOND AMENDMENT TO OPTION AND LEASE AGREEMENT

This Second Amendment to Option and Lease Agreement ("Second Amendment"), dated as of the latter of the signature dates, below, is by and between **Pradiv Mahesh and Sharuna Mahesh**, husband and wife, having a mailing address of 92 Green Farms Road, Westport, CT 06880 ("Landlord") and **Tarpon Towers II, LLC**, a Delaware limited liability company, successor-in-interest to Florida Tower Partners, LLC, having a mailing address of 8916 77th Terrace East, Suite 103, Lakewood Ranch, FL 34202 ("Tenant").

Landlord and Tenant, or its predecessor-in-interest, have entered into an Option and Lease Agreement dated September 17, 2013 as amended by a First Amendment to Option and Lease Agreement dated July 21, 2016 (the "Agreement") whereby Landlord granted Tenant an option to lease a portion of Landlord's Property for the construction and operation of a Communication Facility located at 92 Green Farms Road, Westport, Fairfield County, Connecticut; and

Landlord and Tenant desire to extend the Option Term to provide Tenant with additional time for evaluation of the Property and for obtaining all necessary Government Approvals.

NOW THEREFORE, in consideration of the mutual covenants contained herein and such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. The Option Term is hereby further extended to that date which is one (1) year following the full execution of this Second Amendment. Landlord and Tenant hereby acknowledge and agree that the Agreement shall be deemed to have continued in full force and affect during any time in which the Option Term had expired prior to the execution of this Second Amendment so that the Option Term shall have continued, and the Agreement shall have remained in full force and affect, from the effective date of the Option Term described in the Agreement and the expiration of the Option Term as extended herein.

2. In exchange for the granting of the extension to the Option Term described above, Tenant shall pay to Landlord upon full execution of this Second Amendment.

3. Tenant shall further have the right to an additional one (1) year extension of the Option Term upon written notification to Landlord and the payment of to be remitted to Landlord prior to the expiration of the Option Term as extended by Section 1, above. Any other additional extensions of the Option Term following the extensions described in Section 1 and this Section 3 shall require an additional writing signed by all parties hereto. In the event Tenant does not exercise the Option and fails to provide notice to Landlord of its desire to extend the option along with the herein described payment prior to the expiration of Option Period as it was extended in Section 1, then the Option shall be deemed null and void, the Agreement shall be deemed terminated and of no further force and affect, and both parties shall be released from all obligations and liabilities thereunder. Tenant shall not be entitled to any refund or return of the Option Money paid as of such date.

4. Tenant acknowledges and agrees that this Second Amendment must be fully executed and returned to Landlord with the payment described in Section 2, above, within ten (10) business days of receipt of partially executed original copies from Landlord, or the Second Amendment shall be deemed revoked and of no further force and affect, even if thereafter executed by Tenant.

5. Tenant further acknowledges that should Tenant desire to utilize the Premises, but fail to exercise the Option prior to its final expiration following the extensions described in Section 1 and Section 3, then Landlord will require renegotiation and re-execution of the Agreement.

6. Section 17 of the Agreement is hereby amended to delete Tenant's notice address described therein and replace with the following: **Tarpon Towers II, LLC, 8916 77th Terrace East, Suite 103, Lakewood Ranch, FL 34202, Attn: Site Administration. Re: CT1024 Westport**

7. Except as modified herein, the Agreement remains in full force and affect. All capitalized words and phrases not herein defined shall carry the same definition as found under the Agreement. In the event of a contradiction of discrepancy between the terms of the Agreement and this Second Amendment, the terms of this Second Amendment shall govern and control.

Signature Page to Follow

IN WITNESSES WHEREOF, Landlord and Tenant have executed this Second Amendment as of the latter of the signatures, below, intending to be legally bound thereby.

"LANDLORD"
PRADIV MAHESH AND SHARUNA MAHESH
By: _____
Print Name: Pradiv Mahesh
Date: 4/24/2020

By: _____
Print Name: Sharuna Mahesh
Date: 4/24/2020

Witnesses for Landlord
Sign: _____
Print: Dia Mahesh

Sign: _____
Print: _____

Sign: _____
Print: Dia Mahesh

Sign: _____
Print: _____

"TENANT"
TARPON TOWERS II, LLC,
a Delaware limited liability company

By: _____
Print: Brett Buggeln
Title: COO
Date: 5/5/2020

Witnesses for Tenant:

Sign: _____
Print: _____

Sign: _____
Print: _____

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/7/2021 12:50:21 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 Greens Farms Road

Thank you, David. I am trying to set up a time next week to meet at 55 with the property agent, Adam Klimek. David Maxson, Nick Bamonte and I would also attend. I am waiting for Adam to call back, but Maxson, Nick and I can be available the mornings of Tuesday, Wednesday, Thursday, or Friday next week. Can you check on those options for your team? Alicia Mozian at Conservation thinks she has a 2000 survey of the property. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Thursday, October 7, 2021 11:38 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

Ira,

Here are our responses to each of the items on your list. If you have any questions about any of the items, feel free to call me.

1. Our client has contacted Terry Obey (Terry.Obey@ct.gov) at DOT. We have not yet received a response. Please let us know if the Town has any other contact person at DOT who we should attempt to contact.

2. As discussed, we look forward to a meeting at 55 Greens Farms Road, and to exploring whether that might be a viable alternative site.

3. At our meeting Alicia indicated that some of the concerns in the 2014 memo had been addressed around that time. Given that certain concerns had been addressed, and that the memo was last revised June 25, 2014, we asked in the meeting whether she would update the memo with a list of the current concerns. Please let us know if she will be doing that.

4. We double-checked and the balloon test has not been done. We will let you know when it is scheduled in case the Town wants to notify residents. Photo simulations also have not yet been done. To date, the only visual assessment prepared is the one that we sent to the Town as part of the Technical Report. Of course we will share with you photo simulations when they are completed.

5. Please see attached the redacted lease documents.

6. We do not have a contact person at the cemetery. Our client sent a letter to the address on file in the Town's tax assessment records, as this is the only way we know to contact the cemetery at this time. The cemetery has not responded. If the Town has a contact person and can facilitate our client's efforts to contact the cemetery, please let us know.

7. Yes, we will accommodate this request and work with you to schedule the public information session.

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, October 7, 2021 10:40 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

David: I will work on all this. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Thursday, October 7, 2021 9:57 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

Ira,

As we discussed on Tuesday, I relayed to my client that the owner of 55 Greens Farms Road is open to a proposal on his site. We would like to meet at the property with the owner and any Town representatives who you think would be appropriate to include. Could you please propose a couple of dates and times that work on your end?

Does the Town have an existing site plan for this property that we could review before we meet? We're cognizant of potential wetlands on the site, and we want to keep that in mind as we look at potential tower locations. Please provide a copy of any site plan that the Town may have.

We are working on all of the other items you listed and I'll get back to you on each of those items separately.

Thanks,
David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Monday, October 4, 2021 10:40 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: 92 Greens Farms Road

Dave: I am following up on our meeting of September 24, 2021.
My notes state the following:
1. Response from State DOT re rights of way: I believe your team was waiting for a response. Was that received? Can you share your contact there?
2. 55 Greens Farms Road: Jim Marpe reached out to a representative, and I followed up. The representative indicated they would "entertain" a proposal. He even had a suggested location. I will call you to follow up on next steps for that location.
3. Alicia Mozian memo: I believe Alicia provided you with a copy. Will you be preparing a response?
4. My notes indicate that there were some balloon tests done and some photo simulations. Please provide the results.
5. Please provide us with a copy of the redacted lease with the owner of 92, as Phil noted.
6. I believe your team contacted someone affiliated with the Assumption cemetery. Can you provide that contact?
7. As I mentioned at the meeting, we would appreciate your consideration in postponing the public information session beyond sixty days, since the sixty days would take us up to Thanksgiving week, and barely days after a new First Selectman takes over.

Thank you. I will give you a call.
Ira

Ira W. Bloom
Berchem Moses PC

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(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/7/2021 12:58:17 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; David Maxson [david@isotrope.im]; Ball, David A. [dball@cohenandwolf.com]
Subject: FW: 55 Greens Farms survey
Attachments: Image_20211007_0002.pdf

See survey attached re 55 GF Road.

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Berglund, Michele <mberglund@westportct.gov>
Sent: Thursday, October 7, 2021 12:35 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Greens Farms

Here is the survey.

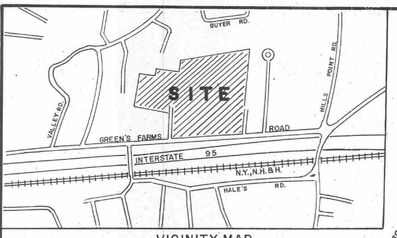
Michele Berglund

Conservation Department
P: 203.341.1170
mberglund@westportct.gov

WESTPORT

-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING

THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.



VICINITY MAP
(not to scale)

NOTES:

1) UTILITIES (INCLUDING SEWERS) SHOWN HEREON ARE BASED UPON OBSERVATION OF SURFACE STRUCTURES ONLY. OTHER UTILITIES MAY EXIST. CALL "CALL BEFORE YOU DIG" 1-800-922-4455 PRIOR TO EXCAVATION.
2) ONSITE PARKING PROVIDED = 399 (INCL. 10 H.C. SPACES). (INDIVIDUAL PARKING SPACES HAVE NOT BEEN DELINEATED HEREON.)
3) TOTAL PROPERTY AREA = 21.755 Ac. (AREA CALCULATION DOES NOT INCLUDE GONCZY DRIVE OR MILLBROOK RD.)
4) OFFSETS SHOWN HEREON ARE TO BUILDING PROPER (NOT TO CONCRETE APRON AROUND BUILDING).
5) AREA OF GONCZY ROAD = 20405 S.F.
6) GONCZY DRIVE IS SUBJECT TO RIGHTS OF OTHERS INCLUDING OWNERS OF PROPERTIES FRONTING GONCZY DRIVE, THE TOWN OF WESTPORT, AND UTILITY COMPANIES (re.: V. 246, P. 338, W.L.R.).
7) PROPERTY IS SUBJECT TO RIGHTS OF THE STATE OF CONNECTICUT TO INSTALL AND MAINTAIN DRAINAGE CULVERTS ON A PORTION OF THE PROPERTY (re.: V. 145, P. 344, W.L.R.).
8) PROPERTY IS SUBJECT TO RIGHTS TO INSTALL AND MAINTAIN ELECTRIC SERVICE IN FAVOR OF THE CONNECTICUT LIGHT AND POWER COMPANY (re.: V. 141, P. 192, V. 548, P. 180, AND V. 159, P. 373, W.L.R.).
9) PROPERTY IS SUBJECT TO RIGHTS TO INSTALL AND MAINTAIN WATER SERVICE LINES IN FAVOR OF THE BRIDGEPORT HYDRAULIC COMPANY (re.: V. 160, P. 248, V. 244, P. 287, V. 160, P. 249 AND V. 164, PP. 201, 202 W.L.R.)
10) PROPERTY IS SUBJECT TO A DRAINAGE EASEMENT IN FAVOR OF THE TOWN OF WESTPORT (re.: V. 158, P. 473 W.L.R.).
11) PROPERTY IS SUBJECT TO TERMS OF PLANNING AND ZONING COMMISSION APPROVAL (re.: V. 157, P. 314 W.L.R.).
12) PROPERTY IS SUBJECT TO SANITARY SEWER EASEMENTS IN FAVOR OF THE TOWN OF WESTPORT (re.: V. 235, P.430, V. 233, P. 398, AND V. 532, P. 316 W.L.R.).
13) PROPERTY IS SUBJECT TO RIGHTS OF OTHERS FOR PORTION OF LAKEVIEW ROAD AS SHOWN ON MAP RECORDED AS MAP # 4641 IN THE OFFICE OF THE WESTPORT TOWN CLERK (re.: V. 223, P. 92, W.L.R.).
14) PROPERTY IS SUBJECT TO DRAINAGE RIGHTS OF WAY AND EASEMENTS IN FAVOR OF THE TOWN OF WESTPORT. (re.: V. 237, P. 457, W.L.R.).
15) PROPERTY IS SUBJECT TO TERMS OF A WESTPORT PLANNING AND ZONING COMMISSION SPECIAL PERMIT CERTIFICATION (re.: V. 504, P. 274).
16) PROPERTY IS SUBJECT TO AN EASEMENT IN FAVOR OF ST. MARY'S CEMETERY TO INSTALL AND MAINTAIN AN 18" STORM DRAIN (re.: V. 290, P. 45, W.L.R.).
17) PROPERTY IS SUBJECT TO ANY RIPARIAN, DRAINAGE OR LITTORAL RIGHTS OF OTHERS IN AND TO ANY WATER OR BODY OF WATER ADJOINING OR PASSING THROUGH THE SUBJECT PREMISES (re.: V. 290, P. 45, W.L.R.).
18) STORM DRAINAGE STRUCTURES, PONDS, AND WATER COURSES ARE A PRIVATE DRAINAGE SYSTEM AND ARE THEREFOR THE RESPONSIBILITY OF THE SUBJECT PROPERTY (re.: V. 532, P. 318, W.L.R.).
19) PROPERTY MAY BE SUBJECT TO AN EASEMENT IN FAVOR OF THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY (EASEMENT NOT FOUND RECORDED IN THE OFFICE OF THE WESTPORT TOWN CLERK.)
20) DESIGNATED WETLANDS HAVE NOT BEEN SHOWN HEREON.
21) PROPERTY IS TOGETHER WITH A RIGHT OF WAY OVER THE PRIVATE ROAD SHOWN HEREON AS MILLBROOK ROAD TO GREENS FARMS ROAD (Re.: V. 536, P. 55).
22) PROPERTY MAY BE SUBJECT TO POSSIBLE CLAIMS OF ADVERSE POSSESSION AND/OR PERSCRIPTIVE EASEMENTS IN THE VICINITY OF AREAS IDENTIFIED AS "APPARENT ENCROACHMENT" HEREON.
23) FLOOD ZONES SHOWN HEREON ARE APPROXIMATE BASED UPON GRAPHIC INTERPRETATION OF F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 090019-0004B, MAP REVISED DECEMBER 4, 1984 (FLOOD ELEVATIONS FOR A ZONE NOT ESTABLISHED).

I HEREBY CERTIFY THAT THIS MAP, BASED UPON A CLASS "A-2" SURVEY, IS SUBSTANTIALLY CORRECT.

GREGORY H. PIDLUSKI
R.L.S. NO. 12154

FULLER & CO., INC.
ENGINEERS-SURVEYORS
301 WOOD AVE.
BRIDGEPORT, CONN.

LEGEND:

- BOUNDARY LINE
- 50' BUILDING SETBACK LINE
- SANITARY SEWER EASEMENT
- DRAINAGE EASEMENT
- TELEPHONE EASEMENT
- ELECTRIC EASEMENT
- LIMIT OF WATER COURSE (POND, STREAM)
- WOOD GUARD RAIL
- WOOD FENCE
- WOVEN WIRE FENCE
- STONE WALL
- LP LIGHT POLE
- p/ POST LIGHT
- MH MANHOLE
- CB CATCH BASIN
- wso WATER SHUT OFF
- WM WATER METER
- gso GAS SHUT OFF
- UP UTILITY POLE
- OVERHEAD WIRES
- HYDT HYDRANT
- SP STAND PIPE
- POB POINT OF BEGINNING
- FEMA/FIRM FLOOD ZONE LIMIT

Existing

RECEIVED
APR 11 2003
WESTPORT Z.B.A.

PLAN OF SURVEY OF PROPERTY IN WESTPORT, CT. PREPARED FOR:

5557 GREENS FARMS, LLC

SCALE 1"=40' 10 AUGUST 2000

Rev.: 10 April 2003:
Add Pre-Existing Sign @ Millbrook Rd. Entrance

BAR SCALE 1"=40'
0 10 25 50 75 100

1294/01 98001 CT 4755

EXHIBIT M 00079

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
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Thanks,
David

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Thursday, October 7, 2021 11:38 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

Ira,

Here are our responses to each of the items on your list. If you have any questions about any of the items, feel free to call me.

1. Our client has contacted Terry Obey (Terry.Obey@ct.gov) at DOT. We have not yet received a response. Please let us know if the Town has any other contact person at DOT who we should attempt to contact.

2. As discussed, we look forward to a meeting at 55 Greens Farms Road, and to exploring whether that might be a viable alternative site.

3. At our meeting Alicia indicated that some of the concerns in the 2014 memo had been addressed around that time. Given that certain concerns had been addressed, and that the memo was last revised June 25, 2014, we asked in the meeting whether she would update the memo with a list of the current concerns. Please let us know if she will be doing that.

4. We double-checked and the balloon test has not been done. We will let you know when it is scheduled in case the Town wants to notify residents. Photo simulations also have not yet been done. To date, the only visual assessment prepared is the one that we sent to the Town as part of the Technical Report. Of course we will share with you photo simulations when they are completed.

5. Please see attached the redacted lease documents.

6. We do not have a contact person at the cemetery. Our client sent a letter to the address on file in the Town's tax assessment records, as this is the only way we know to contact the cemetery at this time. The cemetery has not responded. If the Town has a contact person and can facilitate our client's efforts to contact the cemetery, please let us know.

7. Yes, we will accommodate this request and work with you to schedule the public information session.

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, October 7, 2021 10:40 AM

To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

David: I will work on all this. Ira

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Thursday, October 7, 2021 9:57 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 92 Greens Farms Road

Ira,

As we discussed on Tuesday, I relayed to my client that the owner of 55 Greens Farms Road is open to a proposal on his site. We would like to meet at the property with the owner and any Town representatives who you think would be appropriate to include. Could you please propose a couple of dates and times that work on your end?

Does the Town have an existing site plan for this property that we could review before we meet? We're cognizant of potential wetlands on the site, and we want to keep that in mind as we look at potential tower locations. Please provide a copy of any site plan that the Town may have.

We are working on all of the other items you listed and I'll get back to you on each of those items separately.

Thanks,
David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
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Pronouns: he/him/his

dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Monday, October 4, 2021 10:40 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: 92 Greens Farms Road

Dave: I am following up on our meeting of September 24, 2021.
My notes state the following:
1. Response from State DOT re rights of way: I believe your team was waiting for a response. Was that received? Can you share your contact there?
2. 55 Greens Farms Road: Jim Marpe reached out to a representative, and I followed up. The representative indicated they would "entertain" a proposal. He even had a suggested location. I will call you to follow up on next steps for that location.
3. Alicia Mozian memo: I believe Alicia provided you with a copy. Will you be preparing a response?
4. My notes indicate that there were some balloon tests done and some photo simulations. Please provide the results.
5. Please provide us with a copy of the redacted lease with the owner of 92, as Phil noted.
6. I believe your team contacted someone affiliated with the Assumption cemetery. Can you provide that contact?
7. As I mentioned at the meeting, we would appreciate your consideration in postponing the public information session beyond sixty days, since the sixty days would take us up to Thanksgiving week, and barely days after a new First Selectman takes over.

Thank you. I will give you a call.
Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 10/13/2021 11:46:10 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 55 GF Road

David: Confirming that we will see you and your group at 55 tomorrow at 9 am. Happy to speak today if you would like, but I think we first need to hear what the property owner has to say. Any other thoughts? Ira

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 10/13/2021 12:16:34 PM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: 55 GF Road

Ira,

Yes, we are confirmed for 9 a.m. tomorrow. I agree that we should listen to the property owner's thoughts, and we also need to walk the property to get a sense of potential tower locations.
Looking forward to seeing you tomorrow.

David

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Wednesday, October 13, 2021 11:46 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 GF Road

David: Confirming that we will see you and your group at 55 tomorrow at 9 am. Happy to speak today if you would like, but I think we first need to hear what the property owner has to say. Any other thoughts? Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 11/4/2021 11:27:24 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Cell tower, Greens Farms Road

Dave: Any update on the analysis of the sites at 55 GF Road? Thanks. Ira

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 11/5/2021 9:50:21 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: Cell tower, Greens Farms Road

Good morning Ira.

I believe that 55 Greens Farms Road will work from an RF perspective, although my understanding is that AT&T's preference is the proposed site at 92 Greens Farms Road.

That being said, my client is currently in the middle of active discussions with the owner of 55 Greens Farms Road to see if they are able to reach an agreement on lease terms for that property. I'll let you know as soon as I have more information on that.

David

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, November 4, 2021 11:27 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: Cell tower, Greens Farms Road

Dave: Any update on the analysis of the sites at 55 GF Road? Thanks. Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 11/5/2021 11:34:34 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: Cell tower, Greens Farms Road

Thank you.

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Friday, November 5, 2021 9:50 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: RE: Cell tower, Greens Farms Road

Good morning Ira.

I believe that 55 Greens Farms Road will work from an RF perspective, although my understanding is that AT&T's preference is the proposed site at 92 Greens Farms Road.

That being said, my client is currently in the middle of active discussions with the owner of 55 Greens Farms Road to see if they are able to reach an agreement on lease terms for that property. I'll let you know as soon as I have more information on that.

David

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Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, November 4, 2021 11:27 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: Cell tower, Greens Farms Road

Dave: Any update on the analysis of the sites at 55 GF Road? Thanks. Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 12/1/2021 3:31:43 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Cell tower

David: I could not reach Adam on the phone, but I did exchange emails with him. He insists this location is going to happen. He says their lawyer has the lease. I saw his email of today to Keith. I tried to impress upon Adam that your client was growing impatient and was not going to wait too long. Let's see what happens in a few days. Thanks. Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 12/17/2021 10:43:18 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/3/2022 2:51:47 PM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: RE: 55 Greens Farms
Attachments: 55 Greens Farms Road - Map.pdf

Ira:

I hope you're well and that you had a happy new year.

I've attached a copy of a map of the property at 55 Greens Farms Road depicting a potential location for the tower. When you have a couple minutes, let's set up a time to discuss this site.

In the meantime, if the Town would like to have a public meeting concerning the two potential sites, please let me know as soon as possible. We would want to schedule any such public meeting no later than mid-January.

David

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, December 17, 2021 10:43 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

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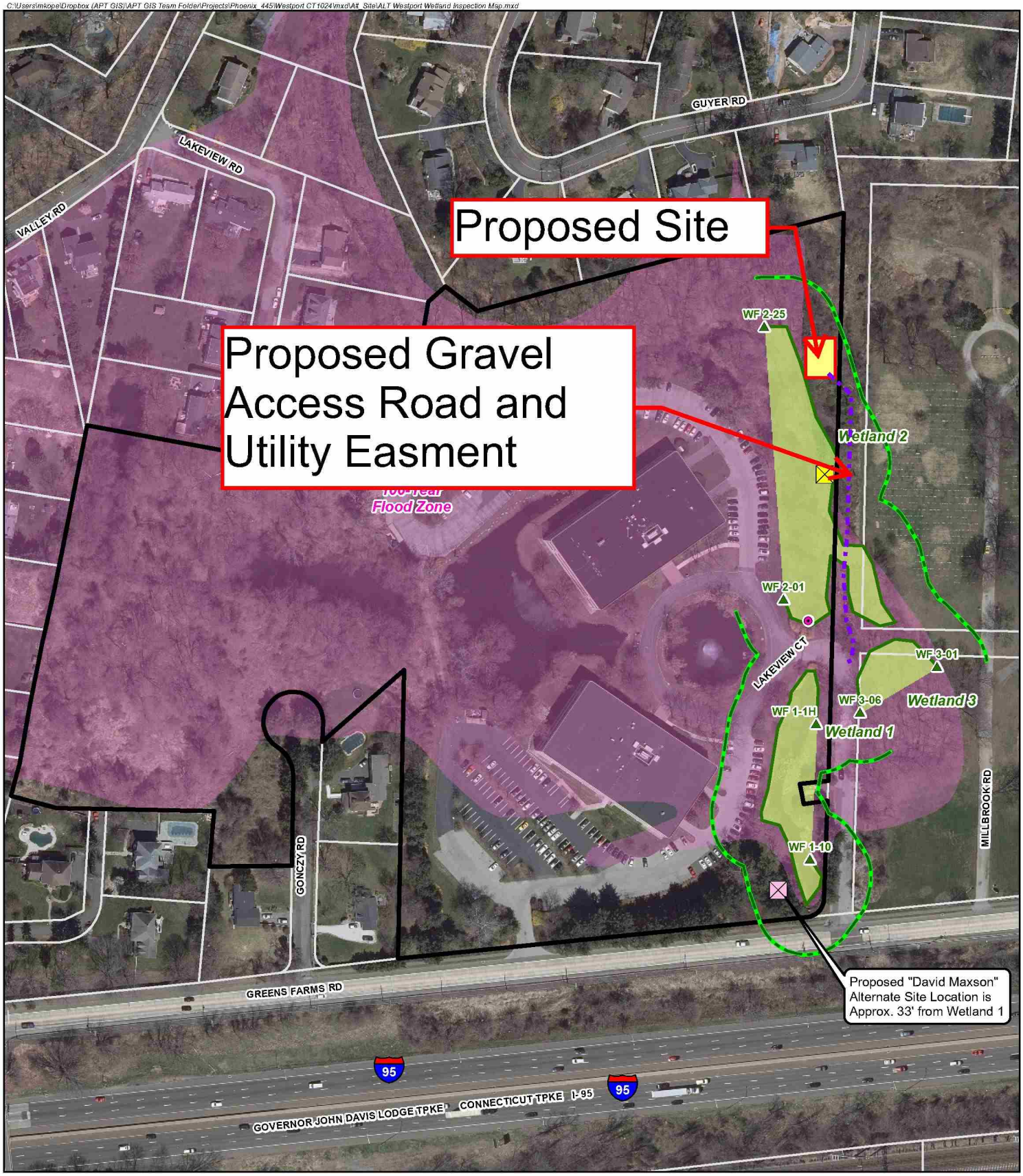
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Legend

- Proposed Alternate Site
- Proposed Alternate Site Location, "David Maxson"
- 75' Upland Review
- Delineated Wetland Boundary
- Wetland Flag
- Approximate Wetland
- Existing Culvert
- Subject Property
- Approximate Parcel Boundary

FEMA Flood Zones

- 100-Year Flood Zone
- 500-Year Flood Zone*
- Floodway*

N W E S

200 100 0 200 Feet

Map Notes:
**Item not located within map extent*
Base Map Source: 2019 Aerial Photograph (CTECO)
Map Scale: 1 inch = 200 feet
Map Date: December 2021

Wetland Inspection Map

Proposed Wireless Telecommunications Facility
CT1024/Westport (Alternate Site Location)
55 Greens Farms Road
Westport, Connecticut

EXHIBIT M 000108

TALE-POINTS TECHNOLOGY CORPORATION

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/3/2022 6:35:35 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 55 Greens Farms

David: Thank you, and happy new year to you and Phil. I really would like Alicia Mozian to weigh in on the wetlands issue first. A town meeting in mid-January is basically two weeks. We have some preparatory work to do in terms of the neighbors of the new site also. I would prefer a slightly later date. Let's talk soon. Thanks. Ira

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Monday, January 3, 2022 2:52 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

Ira:

I hope you're well and that you had a happy new year.

I've attached a copy of a map of the property at 55 Greens Farms Road depicting a potential location for the tower. When you have a couple minutes, let's set up a time to discuss this site.

In the meantime, if the Town would like to have a public meeting concerning the two potential sites, please let me know as soon as possible. We would want to schedule any such public meeting no later than mid-January.

David

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, December 17, 2021 10:43 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

Martindale-Hubbell AV PREEMINENT Peer Rated for Highest Level of Professional Excellence 2021
Super Lawyers 2021

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/5/2022 4:44:30 PM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 55 Greens Farms

Ira,

Just circling back to you following our call yesterday. You were going to get back to me with a date in the next few weeks that would work for the Town for a public information meeting. I'd appreciate hearing back from you so that we can get a date on the calendar.

Thanks,
David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Monday, January 3, 2022 6:36 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

David: Thank you, and happy new year to you and Phil. I really would like Alicia Mozian to weigh in on the wetlands issue first. A town meeting in mid-January is basically two weeks. We have some preparatory work to do in terms of the neighbors of the new site also. I would prefer a slightly later date. Let's talk soon. Thanks. Ira

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Monday, January 3, 2022 2:52 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

Ira:

I hope you're well and that you had a happy new year.

I've attached a copy of a map of the property at 55 Greens Farms Road depicting a potential location for the tower. When you have a couple minutes, let's set up a time to discuss this site.

In the meantime, if the Town would like to have a public meeting concerning the two potential sites, please let me know as soon as possible. We would want to schedule any such public meeting no later than mid-January.

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, December 17, 2021 10:43 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

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Sent: 1/5/2022 4:46:01 PM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: FW: 55 Greens Farms

Ira – my e-mail bounced back from your server, so I'm sending it again.

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Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ball, David A.
Sent: Wednesday, January 5, 2022 4:45 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Pires, Philip C. <ppires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

Ira,

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/7/2022 10:54:30 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 55 GF

David: I have partial progress to report. The Conservation Commission will schedule a special meeting (remote) on January 31 (precise time TBD but around 6:30 or 7) to look at the wetlands issues with this location. Can you do the following before that meeting: 1) Are there are soil reports that your consultant did or reviewed? 2) How do you propose to cross the wetlands? The name and contact info for this consultant would be helpful so that the staff can prepare before the meeting….As for the date for the public information session, as I noted yesterday, Jen Tooker told me she would get back to me today with some dates. Given her DPW issues with the storm (they are short drivers), I want to give her some time before I reach out again. Thanks for your patience. Ira

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/11/2022 11:20:54 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: 55 Greens Farms Rd - accessway ownership question
Attachments: 20220110165908563.pdf

David: Attached is a memo and back-up from Alicia Mozian, Conservation Director. She raises a question as to whether the proposed gravel drive is on office or church property. Could you have one of your team look at this? Shortly I will be sending you another email from the Conservation Commission chair raising additional. Regarding the public information session, we are running into difficulties due to budget meetings, but I am working on it. Ira

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-----Original Message-----
From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Monday, January 10, 2022 5:18 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: 55 Greens Farms Rd - accessway ownership question

Dear Ira,

Please see the attached. Let me know if you have trouble reading.

Take care,

Alicia

-----Original Message-----
From: CONSERVATION SCANNER <conservation-scanner@westportct.gov>
Sent: Monday, January 10, 2022 4:59 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Message from "TH-Conservation-MP2555"

This E-mail was sent from "TH-Conservation-MP2555" (MP 2555).

Scan Date: 01.10.2022 16:59:08 (-0500)
Queries to: CONSERVATION-SCANNER@WestportCT.gov

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WESTPORT, CONNECTICUT
CONSERVATION DEPARTMENT
TOWN HALL - 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341-1170 • FAX (203) 341-1088

To: Ira Bloom, Town Attorney
From: Alicia Mozian, Conservation Director A Mozian
Date: January 10, 2022

Re: Accessway Ownership to Possible Cell Tower Location at 55 Greens Farms Rd.

I am in receipt of the map entitled, "Wetland Inspection Map – Proposed Wireless Telecommunications Facility CT 1024/Westport (Alternate Site Location) 55 Greens Farms Road, Westport, Connecticut" prepared by All-Points Technology Corporation dated December 2021. In reviewing the plan it was unclear to me whether the proposed gravel access road and wetland crossing is on the property belonging to 55 Greens Farms Rd. or on the property belonging to the Catholic Church. In reviewing the property field cards for the church and associated deeds and record maps, it APPEARS that perhaps the roadway would be on the property belonging to the church.

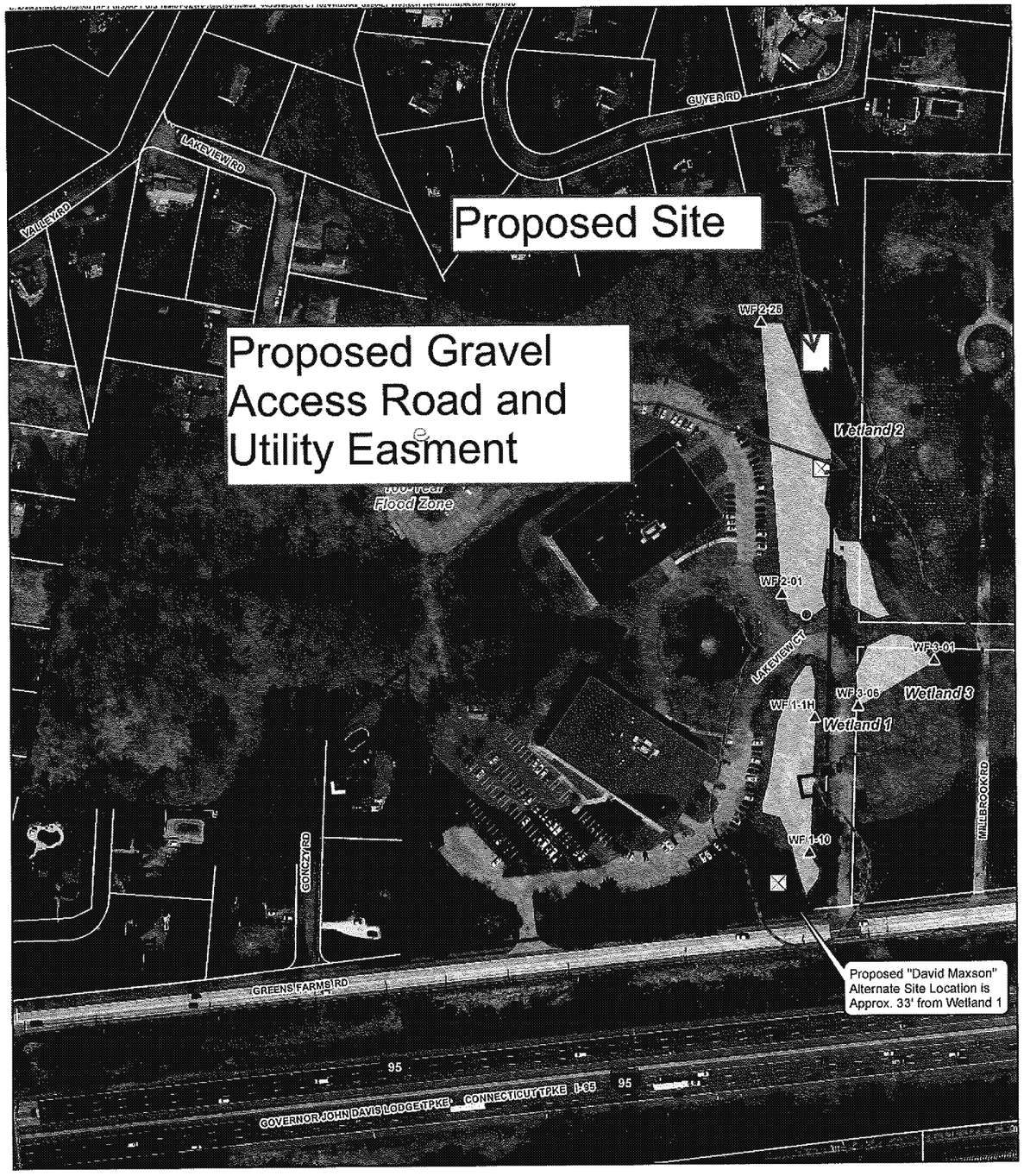
Enclosed is the Town GIS map, the draft plan referenced above, the field cards for each of the two church properties abutting 55 Greens Farms Rd and their associated referenced deeds and land record maps. The two lots involved have not been assigned an address number by the Assessor's office but include:

- Map E6, Lot 75 measuring 3.45 acres, Volume 82, Page 206, Land Record Map 1910, and
- Map E7, Lot 1 measuring 7.64 acres, Volume 58, Page 279, Land Record Map 941

This is by no means an exhaustive title search and I recognize this is beyond my field of expertise. Still, I thought I should raise the issue now so if there is a problem it could be addressed including seeking permission from the appropriate owner.

Thank you.

Corr-out/55 GFR – proposed cell tower access ownership



Legend

- Proposed Alternate Site
- Proposed Alternate Site Location, "David Maxson"
- 75' Upland Review
- Delineated Wetland Boundary
- Wetland Flag
- Approximate Wetland
- Existing Culvert
- Subject Property
- Approximate Parcel Boundary

FEMA Flood Zones

- 100-Year Flood Zone
- 500-Year Flood Zone*
- Floodway*

Map Notes:
**Item not located within map extent*
Base Map Source: 2019 Aerial Photograph (CTECO)
Map Scale: 1 inch = 200 feet
Map Date: December 2021

200 100 0 200 Feet

Wetland Inspection Map

Proposed Wireless
Telecommunications Facility
CT1024/Westport (Alternate Site Location)
55 Greens Farms Road
Westport, Connecticut

ALL-POINTS TECHNOLOGY CORPORATION

EXHIBIT M 000121

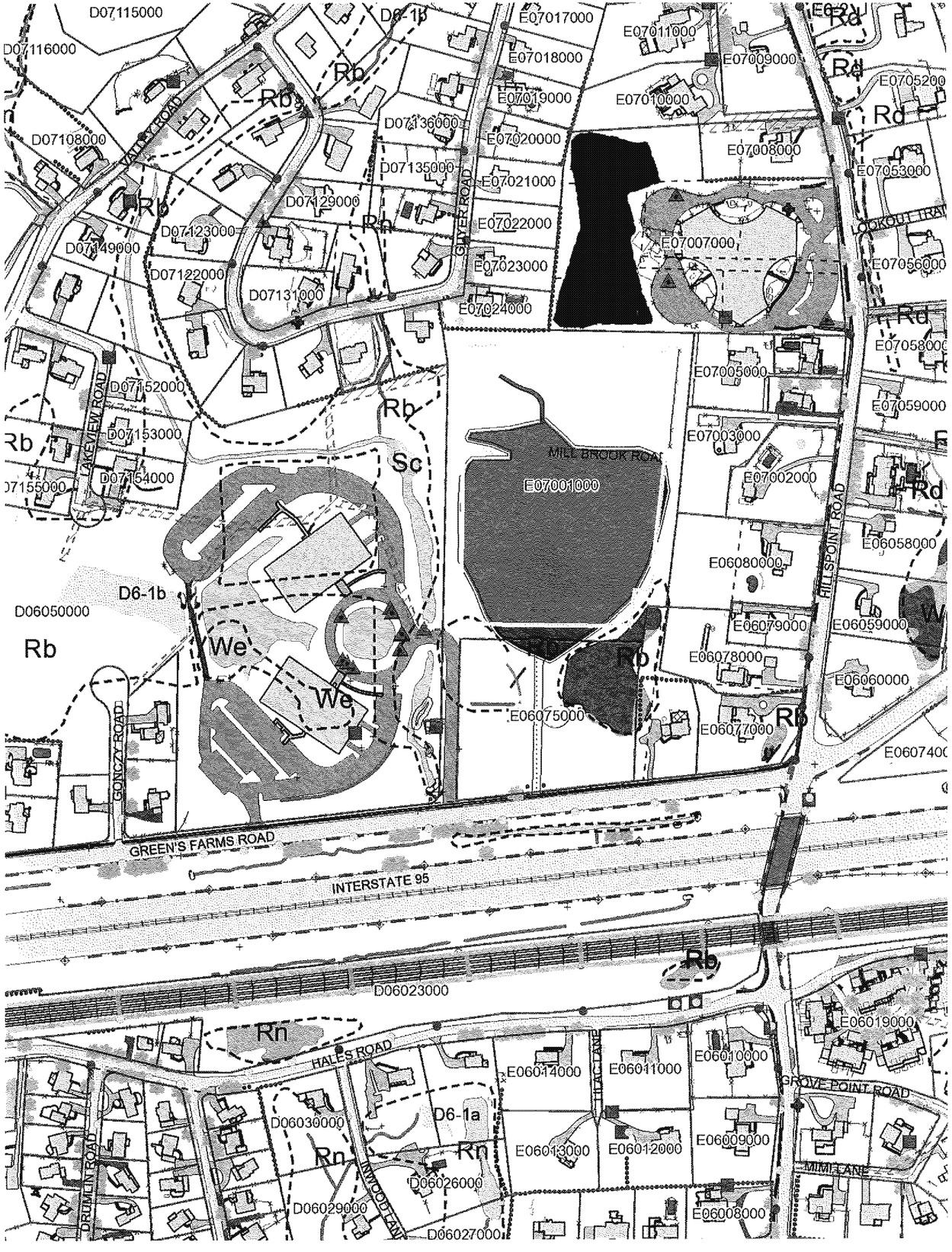


EXHIBIT M 000122

Property Location GREENS FARMS RD | Map ID E06/ /075/000 / | Bldg Name | State Use 964
Vision ID 10256 | Account # 29042 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 12/8/2021 6:30:18 PM

CURRENT OWNER	TOPO	UTILITIES	STRT / ROAD	LOCATION
CORP OF CATHOLIC CHURCH ASSU			1 Public	
CEMETERY				
98 RIVERSIDE AVE				
WESTPORT CT 06880				
1				

SUPPLEMENTAL DATA

Alt Prcl ID	5317113	Lift Hse	
Historic ID		Asking $	
Census	505		
WestportC	H1		
Survey Ma	941		
Survey Ma			
GIS ID	E06075000	Assoc Pid#	

CURRENT ASSESSMENT

Description	Code	Appraised	Assessed
EX VC C L	52	4,471,200	3,129,800
		Total 4,471,200	3,129,800

6158

WESTPORT, CT

VISION

RECORD OF OWNERSHIP

RECORD OF OWNERSHIP	BK-VOL/PAGE		SALE DATE	Q/U	V/I	SALE PRICE	VC
CORP OF CATHOLIC CHURCH ASSUMPTN	0082	0206	07-26-1945	U	I	0	29

PREVIOUS ASSESSMENTS (HISTORY)

Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed
2020	52	3,129,800	2020	52	3,129,800	2019	52	3,477,600
		Total 3,129,800			Total 3,129,800			Total 3,477,600

EXEMPTIONS

Year	Code	Description	Amount
		Total	0.00

OTHER ASSESSMENTS

Code	Description	Number	Amount	Comm Int

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD

Nbhd	Sub	Nbhd Name	B	Tracing	Batch
0001	A	0001			

NOTES

M/941, EXEMPT

EAST OF 55 GREENS FARMS RD

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	4,471,200
Special Land Value	0
Total Appraised Parcel Value	4,471,200
Valuation Method	C
Total Appraised Parcel Value	4,471,200

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpost/Result
02-13-2015	FSR			99	Vacant Lot Inspection
05-17-2010	J			99	Vacant Lot Inspection
06-09-2005	JB			99	Vacant Lot Inspection

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land	Land Units		Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment		Adj Unit P	Land Value
1	964	Church Lnd	A		3.450	AC	1,080,000	1.00000	C	1.00	H	1.200			1.0000		4,471,200
					Total Card Land Units		3.450	AC	Parcel Total Land Area	3					Total Land Value		4,471,200

EXHIBIT M 000123

Property Location GREENS FARMS RD | Map ID E06/ / 075/000 / | Bldg Name | State Use 964
Vision ID 10256 | Account # 29042 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 12/8/2021 6:30:18 PM

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	94	
Model	00	Vacant
Grade:		
Stories:		
Occupancy		
Exterior Wall 1		
Exterior Wall 2		
Roof Structure:		
Roof Cover		
Interior Wall 1		
Interior Wall 2		
Interior Flr 1		
Interior Flr 2		
Heat Fuel		
Heat Type:		
AC Type:		
Total Bedrooms		
Total Bthrms:		
Total Half Baths		
Total Xtra Fixtrs		
Total Rooms:		
Bath Style:		
Kitchen Style:		
Kitchens		
Whirlpool Tubs		
Hot Tubs		
Sauna (SF Area		
Fin Basement		
Fin Bsmt Qual		
Bsmt. Garages		
Interior Cond		
Fireplaces		
Ceiling Height		

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description
Fireplaces		
Ceiling Height		
Elevator		

CONDO DATA

Parcel Id		C		Owne	
		B		S	

Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			

COST / MARKET VALUATION

Building Value New	
Year Built	
Effective Year Built	
Depreciation Code	
Remodel Rating	
Year Remodeled	
Depreciation %	
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	
Cns Sect RcnId	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

No Sketch

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Descript	Sub	Sub Ty	L/B	Units	Unit Pric	Yr Blt	Cond. C	% Gd	Grade	Grade A	Appr. V

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
	Ttl Gross Liv / Lease Area	0	0			0

EXHIBIT M 000124

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING: KNOW YE, That I, Bethel J. Daskam, of the Town of Westport, County of Fairfield and State of Connecticut, for the consideration of one dollar and other valuable considerations, received to my full satisfaction of The Corporation of the Catholic Church of the Assumption, an ecclesiastical corporation organized under the laws of the State of Connecticut, and located in said Town of Westport, do give, grant, bargain, sell and confirm unto the said The Corporation of the Catholic Church of the Assumption, All those two certain tracts or parcels of land, situate in the Town of Westport, County of Fairfield and State of Connecticut, bounded and described as follows:

FIRST TRACT: In quantity 6.51 acres, more or less, and bounded and described as follows: Southerly by highway, Greens Farms Road, so called, 430.44 feet; Westerly by proposed road, a portion of the Second Tract hereinafter described, 687.70 feet; Northerly by proposed road, a portion of the Second Tract hereinafter described, 458.83 feet; Easterly by land now or formerly of Harry Richmond and land of Claude G. Bennett, each in part, in all, 593.23 feet.

Said premises are conveyed subject to building lines if established and to such building and zoning regulations and restrictions as may have been established by the Town of Westport; three-quarters (3/4) of the taxes on the List of 1944, which taxes the Grantee assumes and agrees to pay; and right to maintain a drain as more particularly described in deed to J. Kenneth Bradley, dated November 2, 1938, recorded Westport Land Records, volume 72, page 13.

SECOND TRACT: Bounded and described as follows: Southerly by highway, Greens Farms Road, so called, 40.34 feet; Westerly by land formerly of J. Kenneth Bradley, more lately of J. Kemper Ellyson, in part, and in part by land of Archibald B. Guyer, in all, 1449.29 feet; Northerly by land of Archibald B. Guyer and William S. Daskam, each in part, in all 623.94 feet; Easterly by other land of Bethel J. Daskam in part and in part by land now or formerly of William H. Ingraham, in all 671.46 feet; Southerly by land now or formerly of Harry Richmond, 86.93 feet; 45.77 feet; Easterly again by land now or formerly of Harry Richmond, 86.93 feet; Southerly again by the First Tract above described, 458.83 feet; Easterly again by the First Tract above described, 687.70 feet.

Excepting from this conveyance the parcel of land heretofore conveyed to the Grantee herein by Warranty Deed dated January 25, 1932, recorded Westport Land Records, volume 58, page 279.

Said premises are conveyed subject to building lines if established and to such building and zoning regulations and restrictions as may have been established by the Town of Westport; three-quarters (3/4) of the taxes on the List of 1944, which taxes the Grantee assumes and agrees to pay; drainage right above mentioned; and the westerly forty (40) feet of said premises are subject to a right of way as granted in said deed to J. Kenneth Bradley.

Map 1910

For a more particular description of both tracts, reference is hereby made to "Map of Property of, or to be acquired by The Church of the Assumption Corporation Westport, Conn. June 1945, Scale 1"-100' Area in Road & Proposed Road 2 97/100 Acres, certified 'substantially correct' W. J. Wood, Jr. Civil Eng. & Surveyor" which map is to be filed in the office of the Town Clerk of said Town of Westport.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it, the said grantee, its successors and assigns forever, to its and their own proper use and behoof. And also I the said grantor do for myself, my heirs, executors and administrators, covenant with the said grantee, its successors and assigns, that at and until the ensealing of these presents, I am well seized of the premises, as a good indefeasible estate in fee simple; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as above mentioned.

AND FURTHERMORE, I the said grantor do by these presents bind myself and my heirs forever to Warrant and Defend the above granted and bargained premises to it the said grantee, its successors and assigns, against all claims and demands whatsoever, except as above mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of July, A. D. 1945.

Signed, sealed and delivered in the presence of
Celia Beers
Hereward Wake

U. S. DEFENSE BETTMENT 42 20 7-25-45 C.R.

Bethel J. Daskam (LS)

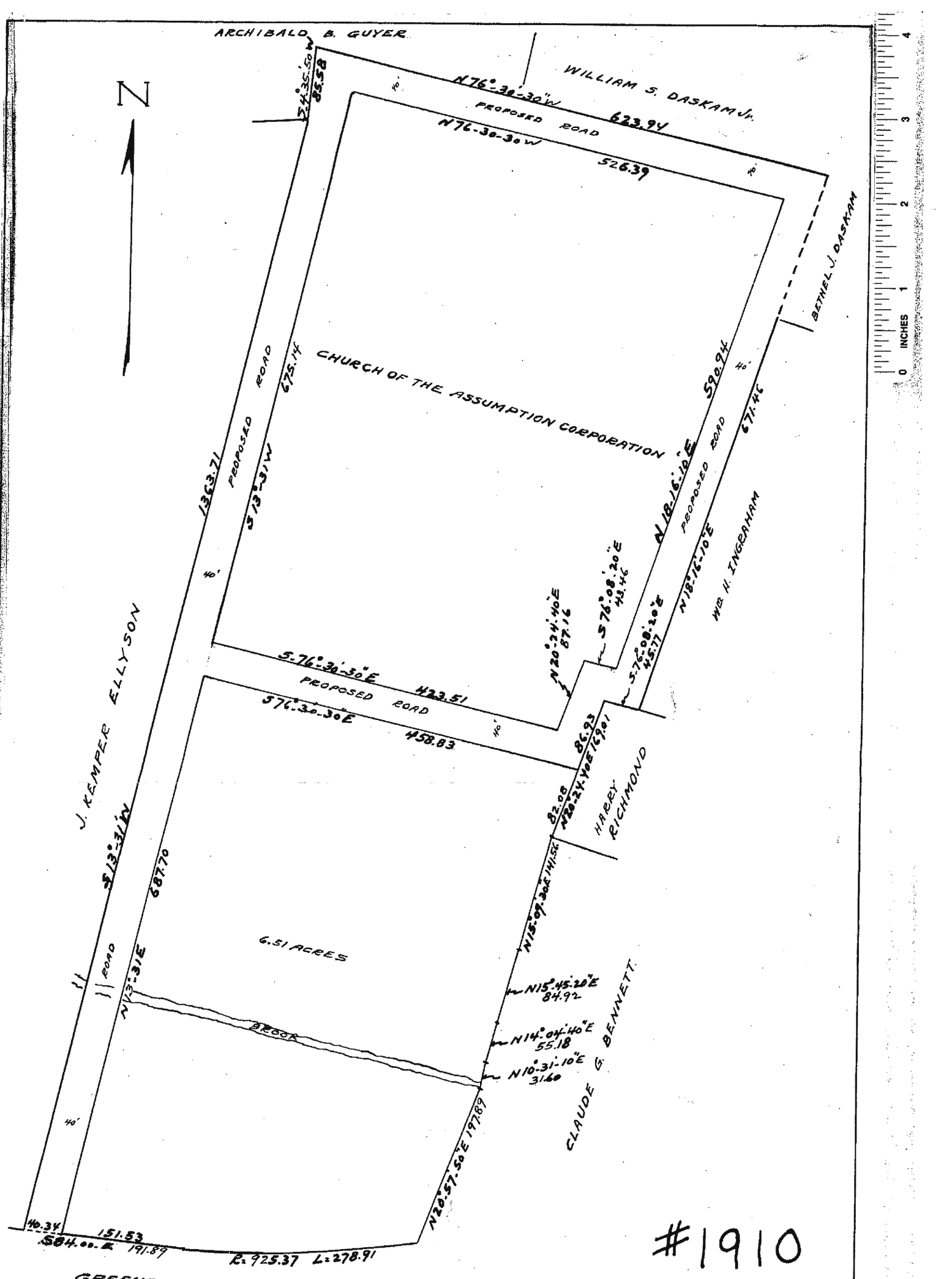
State of Connecticut,
County of Fairfield, ss Westport, July 25th, A. D. 1945

Personally appeared Bethel J. Daskam, signer and sealer of the foregoing instrument and acknowledged the same to be her free act and deed, before me,

Celia Beers, Notary Public

Received for record July 26, 1945
at 10:36 A.M. and recorded by Lois R. Clark Town Clerk

EXHIBIT M 000125



#1910

MAP OF PROPERTY
OF, OR TO BE ACQUIRED BY
THE CHURCH OF THE ASSUMPTION CORPORATION.
WESTPORT CONN.
JUNE 1945. SCALE 1" = 100'.
AREA IN ROAD & PROPOSED ROADS 2 97/100 ACRES.

Certified Substantially Correct as per my Jr. Civil Eng. & Surveyor.

Filed July 26, 1945.
Lois R. Clark
Town Clerk.

EXHIBIT M 000126

Property Location GREENS FARMS RD | Map ID E07/ / 001/000 / | Bldg Name | State Use 964
Vision ID 10258 | Account # 29046 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 12/8/2021 6:30:32 PM

CURRENT OWNER	TOPO	UTILITIES	STRT / ROAD	LOCATION
CORP OF CATHOLIC CHURCH ASSU			1 Public	
CEMETERY				
98 RIVERSIDE AVE				
WESTPORT CT 06880				
1				

SUPPLEMENTAL DATA

Alt Prcl ID	5317114-A1	Lift Hse	
Historic ID		Asking $	
Census	505		
WestportC	H15		
Survey Ma			
Survey Ma			
GIS ID	E07001000	Assoc Pid#	

CURRENT ASSESSMENT

Description	Code	Appraised	Assessed
EX VC C L	52	9,901,400	6,931,000
		Total 9,901,400	6,931,000

6158

WESTPORT, CT

VISION

RECORD OF OWNERSHIP

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC
CORP OF CATHOLIC CHURCH ASSUMPTN	0058 0279	01-27-1932	U	I	0	29

PREVIOUS ASSESSMENTS (HISTORY)

Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed
2020	52	6,931,000	2020	52	6,931,000	2019	52	7,701,100
	Total	6,931,000		Total	6,931,000		Total	7,701,100

EXEMPTIONS

Year	Code	Description	Amount
		Total	0.00

OTHER ASSESSMENTS

Code	Description	Number	Amount	Comm Int

This signature acknowledges a visit by a Data Collector or Assessor

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	9,901,400
Special Land Value	0
Total Appraised Parcel Value	9,901,400
Valuation Method	C
Total Appraised Parcel Value	9,901,400

ASSESSING NEIGHBORHOOD

Nbhd	Sub	Nbhd Name	B	Tracing	Batch
0001	A	0001			

NOTES

M/ CEMETARY, EXEMPT

NE OF 55 GREENS FARMS RD

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpost/Result
02-13-2015	FSR			99	Vacant Lot Inspection
05-17-2010	J			99	Vacant Lot Inspection
06-09-2005	JB	1		99	Vacant Lot Inspection

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land	Land Units		Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value
1	964	Church Lnd	AA_A		7.640	AC	1,080,000	1.00000	C	1.00	H	1.200		1.0000		9,901,400
					Total Card Land Units	7.640	AC	Parcel Total Land Area	8					Total Land Value		9,901,400

EXHIBIT M 000127

Property Location GREENS FARMS RD | Map ID E07/ / 001/000 / | Bldg Name | State Use 964
Vision ID 10258 | Account # 29046 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 12/8/2021 6:30:32 PM

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	94	
Model	00	Vacant
Grade:		
Stories:		
Occupancy		
Exterior Wall 1		
Exterior Wall 2		
Roof Structure:		
Roof Cover		
Interior Wall 1		
Interior Wall 2		
Interior Flr 1		
Interior Flr 2		
Heat Fuel		
Heat Type:		
AC Type:		
Total Bedrooms		
Total Bthrms:		
Total Half Baths		
Total Xtra Fixtrs		
Total Rooms:		
Bath Style:		
Kitchen Style:		
Kitchens		
Whirlpool Tubs		
Hot Tubs		
Sauna (SF Area		
Fin Basement		
Fin Bsmt Qual		
Bsmt. Garages		
Interior Cond		
Fireplaces		
Ceiling Height		

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description
Fireplaces		
Ceiling Height		
Elevator		

CONDO DATA

Parcel Id		C	Owne
		B	S

Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			

COST / MARKET VALUATION

Building Value New	
Year Built	
Effective Year Built	
Depreciation Code	
Remodel Rating	
Year Remodeled	
Depreciation %	
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	
Cns Sect Rcnld	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

No Sketch

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Descript	Sub	Sub Ty	L/B	Units	Unit Pric	Yr Blt	Cond. C	% Gd	Grade	Grade A	Appr. V

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
	Ttl Gross Liv / Lease Area	0	0			0

EXHIBIT M 000128

To all People to whom these Presents shall come,—GREETING:

KNOW YE, THAT I, Samuel S. Daskam of the town of Westport, county of Fairfield and state of Connecticut,

for the consideration of one ($1.00) dollar and other valuable considerations

received to my full satisfaction of The Corporation of the Catholic Church of the Assumption, a ecclesiastical corporation organized under the laws of the state of Connecticut, and located in the town of Westport, aforesaid county and state,

Do Give, Grant, Bargain, Sell and Confirm unto the said The Corporation of The Catholic Church of the Assumption,

All that certain tract or parcel of land situated in Greens Farms, in the town of Westport, bounded and described as follows, to wit:- Beginning at a point 727.70 feet northerly from Greens Farms Road, measured from a point on the northerly side of Greens Farms Road, 430.40 feet westerly from the stone wall boundary between the properties of the grantor and one Henry Parks; running from the first mentioned point N 13d. 31' E 675.14 feet; thence S 76d. 30' 30" E 526.39; thence S 18d. 16' 10" W 590.94 feet; thence N 76d. 08' 20" W 43.46 feet; thence S 20d. 24' 40" W 87.16 feet; thence N 76d. 30' 30" W 423.51 feet to the point or place of beginning, and being bounded:

Northerly, Easterly and Southerly by proposed roadway 40 feet in width, through property owned by the grantor.

For a more particular description, reference may be had to a map entitled "Map of Property of the Corporation of the Catholic Church of the Assumption, Westport, Conn." which map is on file in the office of the town clerk of said town of Westport.

Also together with a right of way for all purposes whatsoever, in, through, over and upon each and every portion of said proposed road as shown on said map.

The Grantor hereby agrees to construct and maintain a good passable highway over the proposed road (as shown on said map) leading northerly from Greens Farms Road, a distance of 727 feet and on the 423 foot proposed road (as shown on said map) towards one, Richmond, immediately; the other proposed roads to be constructed within the next five years.

Map 941

TO HAVE AND TO HOLD the above granted and bargained premises, with the privileges and appurtenances thereof, unto it the said grantee, its successors and assigns, forever, to its and their own proper use and behoof. And also, I the said grantor do for myself, my heirs, executors and administrators covenant with the said grantee its successors and assigns, that at, and until the ensealing of these presents I am well seized of the premises as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same, in manner and form as is above written; and that the same is free from all incumbrances whatsoever.

AND FURTHERMORE, I the said grantor do by these Presents, bind myself and my heirs forever to warrant and defend the above granted and bargained premises to it the said grantee its successors and assigns, against all claims and demands whatsoever.

In Witness Whereof, I have hereunto set my hand and seal this 25th day of January A. D. 19 32

Signed, Sealed and Delivered in presence of

E. J. Costello
Earl H. Jagoe

Samuel S. Daskam [SEAL.]

[SEAL.]

[SEAL.]

STATE OF CONNECTICUT, FAIRFIELD COUNTY, ss., WESTPORT, January 25, A. D. 19 32

Personally appeared Samuel S. Daskam

signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me.

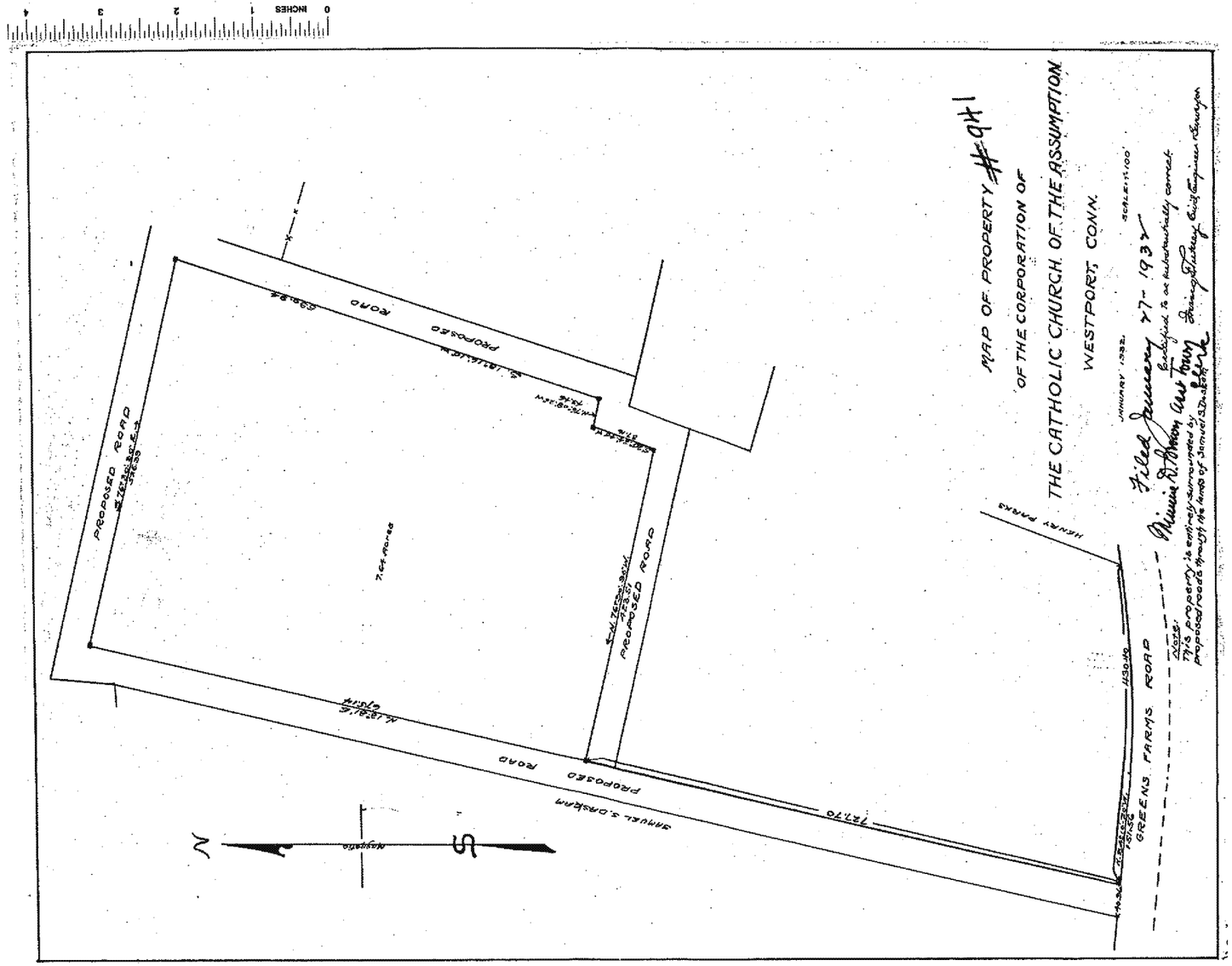
Earl H. Jagoe

EARL H. JAGOE
Commissioner of Superior Court for Fairfield County.

Received for Record Jan 27, 1932

at 9:25 A.M. Recorded by Minnie D. Brown Asst. Town Clerk.

EXHIBIT M 000129


0 INCHES 1 2 3 4
MAP OF PROPERTY
OF THE CORPORATION OF
THE CATHOLIC CHURCH OF THE ASSUMPTION
WESTPORT, CONN.
JANUARY 1932
SCALE: 1" = 100'
Filed January 27- 1932
Maurice R. Hoban Asst Town Clerk
Certified is an authentically correct
Map surveyed by
Hemingway & Whitney, Civil Engineers, Surveyors
PROPOSED ROAD
PROPOSED ROAD
PROPOSED ROAD
SAMUEL S. DRAKAM
HENRY PARKS
GREENS FARMS ROAD
Note:
The property is entirely surrounded by
proposed roads & nearly the lands of
N
S

941

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/11/2022 11:33:14 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Anna Rycenga [annarycenga@gmail.com]; Alicia Mozian (amozian@westportct.gov) [amozian@westportct.gov]
Subject: FW: FW: 55 Greens Farms

David: Below is the email from Anna Rycenga, chair of the Conservation Commission, raising a number of issues. Would you have your consultants address these please? Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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Rated by Super Lawyers 2021

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From: Anna Rycenga <annarycenga@gmail.com>
Sent: Monday, January 10, 2022 9:17 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Re: FW: 55 Greens Farms

Attorney Bloom,

Thank you for the email and speaking with me on the phone. I just have the following questions:

1. Is the applicant seeking a wetlands approval or a recommendation for site location approval at our January 31, 2022 meeting? Just looking for some clarification.

If the applicant is seeking a wetland approval with crossing (although I have not reviewed the complete file to date) can you verify if the applicant has the following:

A. Wetland delineation report prepared by a certified soil scientist? I see that there are wetland flag numbers identified on the attached aerial plan so I would assume it has been done to date.

B. A survey and site plan including a detailed plan of the proposed wetlands/watercourse crossing to maintain the cell tower? We would like to ensure that no feasible and prudent alternatives exists to the impacts. Example is crossing a wetland or watercourse at its narrowest location. This is standard practice but I can make a better assessment upon a complete review.

C. If the applicant can kindly submit any other documentation and reports to the file to assist in review of their application?

I am in full support of this location but would need clarification on the above details and answered to assist in our review. As you know, there is a site walk on January 28th and would hope to have the above questions answered by then or for our January 31st meeting.

Please let me know if you have any questions or concerns.

Thank you.

Kindly,

Anna Rycenga, Chairman Conservation Wetlands Commission

On Fri, Jan 7, 2022 at 2:57 PM Ira Bloom <ibloom@berchemmoses.com> wrote:

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com





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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Monday, January 3, 2022 2:52 PM
To: Ira Bloom <ibloom@berchemmoses.com>

Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

Ira:

I hope you're well and that you had a happy new year.

I've attached a copy of a map of the property at 55 Greens Farms Road depicting a potential location for the tower. When you have a couple minutes, let's set up a time to discuss this site.

In the meantime, if the Town would like to have a public meeting concerning the two potential sites, please let me know as soon as possible. We would want to schedule any such public meeting no later than mid-January.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, December 17, 2021 10:43 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715

http://www.berchemmoses.com
ibloom@berchemmoses.com





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-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/12/2022 9:29:52 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: 55 GF Road

David: Sorry for the delay, due to difficulties in first establishing budget dates in February. The town would suggest Feb 8 or 23 for the public information sessions. Please give me a call to discuss. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
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ibloom@berchemmoses.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/12/2022 10:43:35 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: 55 GF Road

Good morning Ira. Let's schedule the public information session for February 8th.
I'll call you this afternoon when I get into my office.

Thanks,
David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Wednesday, January 12, 2022 9:30 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 GF Road

David: Sorry for the delay, due to difficulties in first establishing budget dates in February. The town would suggest Feb 8 or 23 for the public information sessions. Please give me a call to discuss. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
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ibloom@berchemmoses.com

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before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/14/2022 4:17:14 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: 55 Greens Farms Rd - access road staking request

David: Please take a look below at Alicia's email after her visit to the property today. Can you arrange to answer her center-line question before her Commission's site walk on January 28? Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Friday, January 14, 2022 3:48 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: 55 Greens Farms Rd - access road staking request

Dear Ira,

I visited the site today with the December 2021 "Wetland Inspection Map" in-hand.

I was able to locate/eyeball many, but not all of the wetland flags, but, it was very hard to tell where the proposed access road would be located. Specifically, it appeared that the proposed road may be on the slope directly abutting Muddy Brook thereby necessitating many buffer trees to be cut and significant regrading to take place. Conversely, it may be that the access road may be on top of the slope and in some areas, partly within a lawn area. It was just too hard to tell – especially because it was uncertain where the property line is located – which is another issue previously raised.

In order for the Conservation Commission to be able to better access the impact to the Brook and associated wetland would it be possible for the center-line of the proposed access road to be staked prior to our January 28th meeting? I understand that an updated site plan is being prepared. This will help quite a bit but the staking would also be good to have for the site visit.

Thanks very much.

Alicia

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/17/2022 10:27:56 AM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Anna Rycenga [annarycenga@gmail.com]; Alicia Mozian (amozian@westportct.gov) [amozian@westportct.gov]
Subject: RE: FW: 55 Greens Farms

Good morning Ira. I wanted to respond to the questions below, consistent with our discussion last week. My responses below are in **bold**.

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Tuesday, January 11, 2022 11:33 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Anna Rycenga <annarycenga@gmail.com>; Alicia Mozian (amozian@westportct.gov) <amozian@westportct.gov>
Subject: FW: FW: 55 Greens Farms

David: Below is the email from Anna Rycenga, chair of the Conservation Commission, raising a number of issues. Would you have your consultants address these please? Thanks. Ira

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Ira W. Bloom
Berchem Moses PC

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From: Anna Rycenga <annarycenga@gmail.com>
Sent: Monday, January 10, 2022 9:17 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Re: FW: 55 Greens Farms

Attorney Bloom,

Thank you for the email and speaking with me on the phone. I just have the following questions:

1. Is the applicant seeking a wetlands approval or a recommendation for site location approval at our January 31, 2022 meeting? Just looking for some clarification.

No, we are not seeking a wetlands approval from the Town. The Connecticut Siting Council has exclusive jurisdiction for the siting of this facility, and therefore a wetlands approval is not needed. Of course, we welcome the Town's input on whether it has a preference for this site versus 92 Greens Farms Road as part of the municipal consultation process.

If the applicant is seeking a wetland approval with crossing (although I have not reviewed the complete file to date) can you verify if the applicant has the following:

A. Wetland delineation report prepared by a certified soil scientist? I see that there are wetland flag numbers identified on the attached aerial plan so I would assume it has been done to date.

While we are not seeking a wetlands permit, we have provided the Town the wetlands information that we currently have. APT has done field work at the site, and we will provide any additional reports that they prepare as soon as they are available.

B. A survey and site plan including a detailed plan of the proposed wetlands/watercourse crossing to maintain the cell tower? We would like to ensure that no feasible and prudent alternatives exists to the impacts. Example is crossing a wetland or watercourse at its narrowest location. This is standard practice but I can make a better assessment upon a complete review.

We have ordered a survey which we understand will be done early this week, and we will provide it when it is available. We will prepare a site plan after we obtain the survey.

C. If the applicant can kindly submit any other documentation and reports to the file to assist in review of their application?

As stated above, we will provide additional information and reports as they are available. The reports that have been completed to date have been provided to the Town as part of our Technical Report.

I am in full support of this location but would need clarification on the above details and answered to assist in our review. As you know, there is a site walk on January 28th and would hope to have the above questions answered by then or for our January 31st meeting.

Please let me know if you have any questions or concerns.

Thank you.

Kindly,

Anna Rycenga, Chairman Conservation Wetlands Commission

On Fri, Jan 7, 2022 at 2:57 PM Ira Bloom <ibloom@berchemmoses.com> wrote:

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Monday, January 3, 2022 2:52 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Pires, Philip C. <PPires@cohenandwolf.com>
Subject: RE: 55 Greens Farms

Ira:

I hope you're well and that you had a happy new year.

I've attached a copy of a map of the property at 55 Greens Farms Road depicting a potential location for the tower. When you have a couple minutes, let's set up a time to discuss this site.

In the meantime, if the Town would like to have a public meeting concerning the two potential sites, please let me know as soon as possible. We would want to schedule any such public meeting no later than mid-January.

David

David A. Ball | Principal | Cohen and Wolf, P.C.

1115 Broad Street | Bridgeport, CT 06604

P: 203.337.4134 | F: 203.337.5534

Pronouns: he/him/his

dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, December 17, 2021 10:43 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: 55 Greens Farms

David: One more thought: Can you pinpoint on a map exactly where on the site the proposed tower will be? I would like to present that to Alicia Mozian, Wetlands Director, for her review. Please let me know.. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

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ibloom@berchemmoses.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/17/2022 10:30:20 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: 55 Greens Farms Rd - accessway ownership question

Ira – thank you for this memo. We are evaluating the location of the proposed access road and we will confirm its precise location after our survey is completed.

David A. Ball | Principal | Cohen and Wolf, P.C.
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P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Tuesday, January 11, 2022 11:21 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: 55 Greens Farms Rd - accessway ownership question

David: Attached is a memo and back-up from Alicia Mozian, Conservation Director. She raises a question as to whether the proposed gravel drive is on office or church property. Could you have one of your team look at this? Shortly I will be sending you another email from the Conservation Commission chair raising additional. Regarding the public information session, we are running into difficulties due to budget meetings, but I am working on it. Ira

Ira W. Bloom
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ibloom@berchemmoses.com

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sender by reply email and destroy the original message.

-----Original Message-----
From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Monday, January 10, 2022 5:18 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: 55 Greens Farms Rd - accessway ownership question

Dear Ira,

Please see the attached. Let me know if you have trouble reading.

Take care,

Alicia

-----Original Message-----
From: CONSERVATION SCANNER <conservation-scanner@westportct.gov>
Sent: Monday, January 10, 2022 4:59 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Message from "TH-Conservation-MP2555"

This E-mail was sent from "TH-Conservation-MP2555" (MP 2555).

Scan Date: 01.10.2022 16:59:08 (-0500)
Queries to: CONSERVATION-SCANNER@WestportCT.gov

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/17/2022 10:39:00 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: 55 Greens Farms Rd - access road staking request

Responding to this e-mail. Yes, we are asking our surveyor to stake the proposed access road as part of their work.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, January 14, 2022 4:17 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: 55 Greens Farms Rd - access road staking request

David: Please take a look below at Alicia's email after her visit to the property today. Can you arrange to answer her center-line question before her Commission's site walk on January 28? Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

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ibloom@berchemmoses.com

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From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Friday, January 14, 2022 3:48 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: 55 Greens Farms Rd - access road staking request

Dear Ira,

I visited the site today with the December 2021 "Wetland Inspection Map" in-hand.

I was able to locate/eyeball many, but not all of the wetland flags, but, it was very hard to tell where the proposed access road would be located. Specifically, it appeared that the proposed road may be on the slope directly abutting Muddy Brook thereby necessitating many buffer trees to be cut and significant regrading to take place. Conversely, it may be that the access road may be on top of the slope and in some areas, partly within a lawn area. It was just too hard to tell – especially because it was uncertain where the property line is located – which is another issue previously raised.

In order for the Conservation Commission to be able to better access the impact to the Brook and associated wetland would it be possible for the center-line of the proposed access road to be staked prior to our January 28th meeting? I understand that an updated site plan is being prepared. This will help quite a bit but the staking would also be good to have for the site visit.

Thanks very much.

Alicia

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/18/2022 10:50:15 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: Message

Ira – I left you a message. Please call me when you can. I'm in my office.

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/18/2022 11:23:14 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: Message

Just tried you back.

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Tuesday, January 18, 2022 10:50 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Message

Ira – I left you a message. Please call me when you can. I'm in my office.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/19/2022 10:22:10 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z
Attachments: Notice of Public Information Meeting (01580130xADB93).DOCX

Dave:

See attached FYI as discussed. Will run in the Westport News on Friday. I think we can post the technical report in advance for the public but if there are any other materials you wanted posted ahead of time let me know. I will work on the abutters list for you

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: McNally, Stephanie <smcnally@westportct.gov>
Date: Wednesday, January 19, 2022 at 10:18 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030



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Town of Westport
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Tel: 203-341-1000
www.westportct.gov

To be published in the Westport News on Friday January 21, 2022

LEGAL NOTICE OF PUBLIC INFORMATION MEETING REGARDING PROPOSED CELL TOWER PURSUANT TO C.G.S. § 16-50l

Notice is hereby given that the Town of Westport and Tarpon Towers II, LLC ("Tarpon") will hold a remote Public Information Meeting on **Tuesday, February 8, 2022**, at 7:00 P.M. where Tarpon representatives will present details on its anticipated application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council for the construction, maintenance and operation of a telecommunications facility located at **92 Greens Farms Road**, or alternatively, **55 Greens Farms Road**, in Westport. The anticipated cell tower application by Tarpon is intended to provide Cellco Partnership, d/b/a Verizon Wireless ("Verizon") and New Cingular Wireless PCS, LLC ("AT&T"), and potentially other telecommunications providers, with opportunities to enhance wireless coverage in the area.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically and live streamed on www.westportct.gov. Any meeting materials will be posted at www.westportct.gov, on the Planning and Zoning Department web page under "Anticipated Cell Tower Application by Tarpon Towers". Instructions to attend the ZOOM meeting follow below and will also be posted on the Planning and Zoning Department web page:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Dated at Westport, Connecticut on this 19th day of January 2022, Jeffrey Dunkerton, Town Clerk.

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/19/2022 10:22:25 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]; Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: Notice of Public Information Meeting

Nick,

As discussed, the applicant will be reimbursing the Town for the newspaper publication noticing the February 8th public information meeting.

When you have the language of the notice – including the Zoom link – please e-mail it to me so that I can include it in our notice to the abutters.

Thanks,
David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/19/2022 10:24:15 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: Re: Notice of Public Information Meeting

Dave our emails just crossed paths, you should have the notice now

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

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(203) 571-1713
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From: Ball, David A. <DBall@cohenandwolf.com>
Date: Wednesday, January 19, 2022 at 10:22 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>, Pires, Philip C. <PPires@cohenandwolf.com>
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David

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/19/2022 10:25:05 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]; Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Thanks Nick – our e-mails just crossed.

We are identifying all of the abutting property owners for both sites. I'll run the list by you before we send out the notice to make sure it's complete.

Thanks,
David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

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Sent: Wednesday, January 19, 2022 10:22 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z

Dave:

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Nick

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http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: McNally, Stephanie <smcnally@westportct.gov>
Date: Wednesday, January 19, 2022 at 10:18 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030
WESTPORT
CONNECTICUT

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/19/2022 11:41:42 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: Notice of Public Information Meeting
Attachments: List of Abutters - 55 Greens Farms Rd.pdf; List of Abutters - 92 Greens Farms Rd.pdf; Additional abutter for 55 Greens Farms Rd.pdf

Nick,

I've attached lists of abutters for both 55 and 92 Greens Farms Road. Please let me know if you agree that this captures everyone who should receive notice.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 19, 2022 10:24 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: Re: Notice of Public Information Meeting

Dave our emails just crossed paths, you should have the notice now

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Date: Wednesday, January 19, 2022 at 10:22 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>

Cc: Ira Bloom <ibloom@berchemmoses.com>, Pires, Philip C. <PPires@cohenandwolf.com>
Subject: Notice of Public Information Meeting

Nick,

As discussed, the applicant will be reimbursing the Town for the newspaper publication noticing the February 8th public information meeting.

When you have the language of the notice – including the Zoom link – please e-mail it to me so that I can include it in our notice to the abutters.

Thanks,
David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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100 foot Abutters List Report

Westport, CT
January 19, 2022

Subject Property:

Parcel Number:	D06050000	Mailing Address:	1735 ASHLEY LLC
CAMA Number:	D06050000		10 EAST 53RD ST 18TH FL
Property Address:	55 GREENS FARMS RD		NEW YORK, NY 10022-5285

Abutters:

Parcel Number:	D06049000	Mailing Address:	WESTPORT TOWN OF
CAMA Number:	D06049000		110 MYRTLE AVE
Property Address:	5 MILLBROOK RD		WESTPORT, CT 6880
Parcel Number:	D06051000	Mailing Address:	WICHMANN PAUL H & MARIA F
CAMA Number:	D06051000		1 GONCZY RD
Property Address:	1 GONCZY RD		WESTPORT, CT 6880
Parcel Number:	D06052000	Mailing Address:	JIANG CINDY
CAMA Number:	D06052000		4 GONCZY RD
Property Address:	4 GONCZY RD		WESTPORT, CT 6880
Parcel Number:	D06053000	Mailing Address:	COALE BRITTANY A
CAMA Number:	D06053000		51 GREENS FARMS RD
Property Address:	51 GREENS FARMS RD		WESTPORT, CT 6880
Parcel Number:	D06054000	Mailing Address:	PAOLO FONTANA AND OSEGUERA BARBARA C
CAMA Number:	D06054000		3 MEDWELL LN
Property Address:	3 MEDWELL LN		WESTPORT, CT 6880
Parcel Number:	D06055000	Mailing Address:	WADHWANI MANOJ & SANGITA
CAMA Number:	D06055000		4 MEDWELL LN
Property Address:	4 MEDWELL LN		WESTPORT, CT 6880
Parcel Number:	D06056000	Mailing Address:	DASILVA SANDRO AUGUSTO MORENO &
CAMA Number:	D06056000		2 MEDWELL LN
Property Address:	2 MEDWELL LN		WESTPORT, CT 6880
Parcel Number:	D06068000	Mailing Address:	ROBICHEAU DAVID A & DEBORAH H
CAMA Number:	D06068000		7 HIGH ST
Property Address:	7 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D06069000	Mailing Address:	DRISCOLL RYAN & JENNIFER
CAMA Number:	D06069000		11 HIGH ST
Property Address:	11 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D06070000	Mailing Address:	GIRALDEZ MELISSA & ERNESTO
CAMA Number:	D06070000		17 HIGH ST
Property Address:	17 HIGH ST		WESTPORT, CT 6880

100 foot Abutters List Report

Westport, CT
January 19, 2022

Parcel Number:	D06071000	Mailing Address:	PETRETTA ELIZABETH & ROCCO F
CAMA Number:	D06071000		16 HIGH ST
Property Address:	19 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D06072000	Mailing Address:	SILVER STEPHEN
CAMA Number:	D06072000		21 HIGH ST
Property Address:	21 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D06073000	Mailing Address:	LOPRESTI PHILIP G & NOELLE
CAMA Number:	D06073000		23 HIGH ST
Property Address:	23 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D06074000	Mailing Address:	CROWLEY COLIN S AND DIANNE
CAMA Number:	D06074000		25 HIGH ST
Property Address:	25 HIGH ST		WESTPORT, CT 6880
Parcel Number:	D07117000	Mailing Address:	FREELAND HUGH
CAMA Number:	D07117000		25 GUYER RD
Property Address:	25 GUYER RD		WESTPORT, CT
Parcel Number:	D07118000	Mailing Address:	BUCKLEY CHRISTOPHER J AND CIANO MARK
CAMA Number:	D07118000		27 GUYER RD
Property Address:	27 GUYER RD		WESTPORT, CT 6880
Parcel Number:	D07119000	Mailing Address:	BUNCHE MILDRED D
CAMA Number:	D07119000		29 GUYER RD
Property Address:	29 GUYER RD		WESTPORT, CT 6880
Parcel Number:	D07120000	Mailing Address:	OKEEFE PATRICK P & ELAINE M
CAMA Number:	D07120000		31 GUYER RD
Property Address:	31 GUYER RD		WESTPORT, CT 6880
Parcel Number:	D07121000	Mailing Address:	PORIO KIMBERLY L & JOHN J
CAMA Number:	D07121000		33 GUYER RD
Property Address:	33 GUYER RD		WESTPORT, CT 6880
Parcel Number:	D07152000	Mailing Address:	NASHAWATY ANTHONY & JEANINE
CAMA Number:	D07152000		5 LAKEVIEW RD
Property Address:	5 LAKEVIEW RD		WESTPORT, CT 6880
Parcel Number:	D07153000	Mailing Address:	ROSSONI CAIO F & DANIELLE P
CAMA Number:	D07153000		7 LAKEVIEW RD
Property Address:	7 LAKEVIEW RD		WESTPORT, CT 6880
Parcel Number:	D07154000	Mailing Address:	HAVAS PAUL & CATHERINE S
CAMA Number:	D07154000		9 LAKEVIEW RD
Property Address:	9 LAKEVIEW RD		WESTPORT, CT 6880

100 foot Abutters List Report

Westport, CT
January 19, 2022

Parcel Number:	D07155000	Mailing Address:	ADAMS SUZANNE M TRUSTEE
CAMA Number:	D07155000		8 LAKEVIEW RD
Property Address:	8 LAKEVIEW RD		WESTPORT, CT 6880
Parcel Number:	D07156000	Mailing Address:	PURCELL THOMAS & NANCY
CAMA Number:	D07156000		6 LAKEVIEW RD
Property Address:	6 LAKEVIEW RD		WESTPORT, CT 6880
Parcel Number:	D07159000	Mailing Address:	SUNDERJI MEHDI & ELIZABETH
CAMA Number:	D07159000		55 VALLEY RD
Property Address:	55 VALLEY RD		WESTPORT, CT 6880
Parcel Number:	D07160000	Mailing Address:	BEST JONATHAN E AND REGAN EILEEN B
CAMA Number:	D07160000		59 VALLEY RD
Property Address:	59 VALLEY RD		WESTPORT, CT 6880
Parcel Number:	D07162000	Mailing Address:	KERRIGAN THOMAS & LUCINDA
CAMA Number:	D07162000		32 HIGH ST
Property Address:	3 HIGH ST		WESTPORT, CT 6880
Parcel Number:	E06075000	Mailing Address:	CORP OF CATHOLIC CHURCH ASSUMPTN
CAMA Number:	E06075000		98 RIVERSIDE AVE
Property Address:	GREENS FARMS RD		WESTPORT, CT 6880
Parcel Number:	E07001000	Mailing Address:	CORP OF CATHOLIC CHURCH ASSUMPTN
CAMA Number:	E07001000		98 RIVERSIDE AVE
Property Address:	GREENS FARMS RD		WESTPORT, CT 6880
Parcel Number:	E07024000	Mailing Address:	LOMANTO SALVATORE C & ELIZABETH
CAMA Number:	E07024000		23 GUYER RD
Property Address:	23 GUYER RD		WESTPORT, CT 6880

100 foot Abutters List Report

Westport, CT
January 19, 2022

Subject Property:

Parcel Number:	E06074000	Mailing Address:	MAHESH PRADIV & SHARUNA MOOLA-
CAMA Number:	E06074000		92 GREENS FARMS RD
Property Address:	92 GREENS FARMS RD		WESTPORT, CT 6880

Abutters:

Parcel Number:	E06059000	Mailing Address:	HARKEY JOSHUA
CAMA Number:	E06059000		107 HILLSPOINT RD
Property Address:	107 HILLSPOINT RD		WESTPORT, CT 6880
Parcel Number:	E06060000	Mailing Address:	HAYES JACQUELINE
CAMA Number:	E06060000		111 HILLSPOINT RD
Property Address:	111 HILLSPOINT RD		WESTPORT, CT 6880
Parcel Number:	E06061000	Mailing Address:	TREFZGER WILLIAM
CAMA Number:	E06061000		99 GREENS FARMS RD
Property Address:	99 GREENS FARMS RD		WESTPORT, CT 6880
Parcel Number:	E06062000	Mailing Address:	BHATTACHARYA BIVASH & MOUSUMI
CAMA Number:	E06062000		101 GREENS FARMS RD
Property Address:	101 GREENS FARMS RD		WESTPORT, CT 6880
Parcel Number:	E06063000	Mailing Address:	POLANCO RAFAEL G & CARDONA
CAMA Number:	E06063000		DIANA L
Property Address:	105 GREENS FARMS RD		105 GREENS FARMS RD
			WESTPORT, CT 6880
Parcel Number:	E06072000	Mailing Address:	MIKUSZEWSKI SCOTT RICHARD &
CAMA Number:	E06072000		VANESSA DAWN
Property Address:	106 GREENS FARMS RD		106 GREENS FARMS RD
			WESTPORT, CT 6880
Parcel Number:	E06073000	Mailing Address:	FISHER CRAIG & ELIZABETH
CAMA Number:	E06073000		102 GREENS FARMS RD
Property Address:	102 GREENS FARMS RD		WESTPORT, CT 6880

CAI Technologies
www.cai-tech.com
Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Property Location HALES RD | Map ID D06/ / 023/000 / | Bldg Name | State Use 912
Vision ID 10275 | Account # 29068 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 1/14/2022 8:32:52 AM

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	99	Vacant Land
Model	00	Vacant
Grade:		
Stories:		
Occupancy		
Exterior Wall 1		
Exterior Wall 2		
Roof Structure:		
Roof Cover		
Interior Wall 1		
Interior Wall 2		
Interior Flr 1		
Interior Flr 2		
Heat Fuel		
Heat Type:		
AC Type:		
Total Bedrooms		
Total Bthrms:		
Total Half Baths		
Total Xtra Fixtrs		
Total Rooms:		
Bath Style:		
Kitchen Style:		
Kitchens		
Whirlpool Tubs		
Hot Tubs		
Sauna (SF Area		
Fin Basement		
Fin Bsmt Qual		
Bsmt. Garages		
Interior Cond		
Fireplaces		
Ceiling Height		

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description
Fireplaces		
Ceiling Height		
Elevator		

CONDO DATA

Parcel Id		C		Owne	
		B		S	

Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			

COST / MARKET VALUATION

Building Value New	
Year Built	
Effective Year Built	
Depreciation Code	
Remodel Rating	
Year Remodeled	
Depreciation %	
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	
Cns Sect Rcnld	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

No Sketch

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Descript	Sub	Sub Ty	L/B	Units	Unit Pric	Yr Blt	Cond. C	% Gd	Grade	Grade A	Appr. V

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
	Ttl Gross Liv / Lease Area	0	0			0

EXHIBIT M 000166

Property Location HALES RD | Map ID D06/ / 023/000 / | Bldg Name | State Use 912
Vision ID 10275 | Account # 29068 | Bldg # 1 | Sec # 1 of 1 | Card # 1 of 1 | Print Date 1/14/2022 8:32:53 AM

CURRENT OWNER

CONNECTICUT STATE OF
D O T EXCESS
30 TRINITY ST

HARTFORD CT 06106

1

TOPO	UTILITIES	STRT / ROAD	LOCATION
		1 Public	

SUPPLEMENTAL DATA

Alt Prcl ID	531615RR	Lift Hse	
Historic ID		Asking $	
Census	505		
WestportC	K28		
Survey Ma			
Survey Ma			
GIS ID	D06023000	Assoc Pid#	

CURRENT ASSESSMENT

Description	Code	Appraised	Assessed
EX VC C L	52	15,120,000	10,584,000
	Total	15,120,000	10,584,000

6158

WESTPORT, CT

VISION

RECORD OF OWNERSHIP

RECORD OF OWNERSHIP	BK-VOL/PAGE		SALE DATE	Q/U	V/I	SALE PRICE	VC
CONNECTICUT STATE OF	0763	0247	11-04-1985	U	V	0	29

PREVIOUS ASSESSMENTS (HISTORY)

Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed
2020	52	10,584,000	2020	52	10,584,000	2019	52	11,760,000
	Total	10,584,000		Total	10,584,000		Total	11,760,000

EXEMPTIONS

Year	Code	Description	Amount
		Total	0.00

OTHER ASSESSMENTS

Code	Description	Number	Amount	Comm Int

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD

Nbhd	Sub	Nbhd Name	B	Tracing	Batch
0001	A	0001			

NOTES

M/ EXEMPT

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	0
Appraised Land Value (Bldg)	15,120,000
Special Land Value	0
Total Appraised Parcel Value	15,120,000
Valuation Method	C
Total Appraised Parcel Value	15,120,000

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpost/Result
03-10-2015	BG			99	Vacant Lot Inspection
05-14-2010	J			99	Vacant Lot Inspection
08-23-2005	VR	1		99	Vacant Lot Inspection

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land	Land Units		Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value
1	912	State Land Com	AA_A		8.000	AC	1,080,000	1.00000	C	1.00	K	1.750		1.0000		15,120,000
		Total Card Land Units			8.000	AC	Parcel Total Land Area		8						Total Land Value	15,120,000

EXHIBIT M 000167

Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/20/2022 12:42:16 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z
Attachments: Notice of Public Information Meeting (01580130xADB93) REVISED.DOCX

Dave – Forgot to forward this slightly revised version that went to the paper. The original that I sent you yesterday said that the meeting would be televised in addition to zoom, but that is not the case and it will only be via zoom. So the operative notice does not mention any televising – see attached.

Still trying to get confirmation on the abutters from the Assessor.

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: McNally, Stephanie <smcnally@westportct.gov>
Date: Wednesday, January 19, 2022 at 11:31 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Hello,

There was a last minute change to this notice! Is there still time to change it, see attached.

SORRY! ☹

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030

WESTPORT
CONNECTICUT

From: McNally, Stephanie
Sent: Wednesday, January 19, 2022 10:23 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Perfect
OK to post! Thanks Ethan!

Ethan, there was 1 other legal notice sent this AM- didn't want it to get lost
Thanks!

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030
WESTPORT
CONNECTICUT

From: HearstMediaCT, Legals <legals@hearstmediact.com>
Sent: Wednesday, January 19, 2022 10:20 AM
To: McNally, Stephanie <smcnally@westportct.gov>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Stephanie,

Attached is a proof for your review and approval.

Please Note: Deadline is at 12PM EST today

Thanks,

Ethan

Hearst Media Legals
(203)-333-4151
MON-FRI 8:30 a.m. - 4:00 p.m.

*****WE WILL BE CLOSED MONDAY, JANUARY 17th IN OBSERVANCE OF MARTIN LUTHER KING JR. DAY**
PLEASE ASK YOUR REP FOR DEADLINE INFORMATION

*****ATTENTION PLEASE READ*****

When reviewing proofs please be sure to check the billing info and if anything needs to be updated please advise your rep.

AFFIDAVITS must now be requested on all orders at the time of placing ads going forward.

AFFIDAVITS & LIQUOR PERMIT PAPERWORK...will be processed within 7-10 Business Days after the last run date and will then be mailed to you.

Going forward if ads are not approved by deadline they WILL NOT run. Please be sure you are reviewing & approving them within a timely manner. Thank you!

Address for Checks/Payments:
Hearst Media Services
301 Merritt 7
Norwalk, CT 06851

Connecticut Post | The News-Times | The Hour |The Advocate | Greenwich Time|Darien Times |Fairfield Citizen | New Canaan Advertiser | Westport News | The Spectrum | Shelton Herald I The Milford Mirror I The Ridgefield Press I The Trumbull Times I The Wilton Bulletin

---

From: McNally, Stephanie <smcnally@westportct.gov>
Sent: Wednesday, January 19, 2022 10:02 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: [EXTERNAL] Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030
WESTPORT
CONNECTICUT

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Town of Westport
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Tel: 203-341-1000
www.westportct.gov

To be published in the Westport News on Friday January 21, 2022

LEGAL NOTICE OF PUBLIC INFORMATION MEETING REGARDING PROPOSED CELL TOWER PURSUANT TO C.G.S. § 16-50l

Notice is hereby given that the Town of Westport and Tarpon Towers II, LLC ("Tarpon") will hold a remote Public Information Meeting on **Tuesday, February 8, 2022**, at 7:00 P.M. where Tarpon representatives will present details on its anticipated application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council for the construction, maintenance and operation of a telecommunications facility located at **92 Greens Farms Road**, or alternatively, **55 Greens Farms Road**, in Westport. The anticipated cell tower application by Tarpon is intended to provide Cellco Partnership, d/b/a Verizon Wireless ("Verizon") and New Cingular Wireless PCS, LLC ("AT&T"), and potentially other telecommunications providers, with opportunities to enhance wireless coverage in the area.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically. Any meeting materials will be posted at www.westportct.gov, on the Planning and Zoning Department web page under "Anticipated Cell Tower Application by Tarpon Towers". Instructions to attend the ZOOM meeting follow below and will also be posted on the Planning and Zoning Department web page:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Dated at Westport, Connecticut on this 19th day of January 2022, Jeffrey Dunkerton, Town Clerk.

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/20/2022 2:04:41 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

No problem Nick. Let me know when you've spoken with the assessor, and let me know if you have any comments on my draft notice to the abutters.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, January 20, 2022 12:42 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z

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Still trying to get confirmation on the abutters from the Assessor.

Nick

BERCHEM MOSES PC

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Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: McNally, Stephanie <smcnally@westportct.gov>
Date: Wednesday, January 19, 2022 at 11:31 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Hello,

There was a last minute change to this notice! Is there still time to change it, see attached.

SORRY! ☹

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030

From: McNally, Stephanie
Sent: Wednesday, January 19, 2022 10:23 AM
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Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
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Perfect
OK to post! Thanks Ethan!

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Hello Stephanie,

Attached is a proof for your review and approval.

Please Note: Deadline is at 12PM EST today

Thanks,

Ethan

Hearst Media Legals

(203)-333-4151

MON-FRI 8:30 a.m. - 4:00 p.m.

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301 Merritt 7
Norwalk, CT 06851

Connecticut Post | The News-Times | The Hour |The Advocate | Greenwich Time|Darien Times |Fairfield Citizen | New Canaan Advertiser | Westport News | The Spectrum | Shelton Herald I The Milford Mirror I The Ridgefield Press I The Trumbull Times I The Wilton Bulletin

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Subject: [EXTERNAL] Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030



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Sent: 1/20/2022 2:07:26 PM
To: 'Nicholas R. Bamonte' [nbamonte@berchemmoses.com]
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z
Attachments: Notice to Abutting Property Owners (Public Information Meeting).docx

Here's the draft notice for your review. Meant to attach it to the last e-mail.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ball, David A.
Sent: Thursday, January 20, 2022 2:05 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
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To: Ball, David A. <DBall@cohenandwolf.com>
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BERCHEM MOSES PC
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Berchem Moses PC

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Please Note: Deadline is at 12PM EST today

Thanks,

Ethan

Hearst Media Legals

(203)-333-4151

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Sent: Wednesday, January 19, 2022 10:02 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: [EXTERNAL] Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030



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VIA CERTIFIED MAIL

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

To Whom It May Concern,

Tarpon Towers II, LLC and New Cingular Wireless PCS, LLC ("AT&T") (collectively the "Applicants") will be filing an application with the Connecticut Siting Council to locate a wireless telecommunications tower facility at one of the two locations above in Westport.

The proposal includes the construction, maintenance and operation of a 124-foot wireless telecommunication tower facility and associated equipment ("Facility"). The Facility is being proposed to allow AT&T, Verizon Wireless, and other carriers to provide wireless services in this area of the state. AT&T would be located at a centerline height of 120 feet, and Verizon would be located at a centerline height of 110 feet. The Facility will accommodate the equipment of two other wireless carriers. The Town's emergency services would also be able to locate communication equipment on the Facility to enhance the municipal emergency communications system.

State statute provides that the Town and the Applicants may hold a public information meeting. All abutting property owners are entitled to receive notice of the public information meeting. Please accept this correspondence as notice that a remote Public Information Meeting regarding this proposal will be held on **Tuesday, February 8, 2022**, at 7:00 P.M. via the following Zoom link:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/20/2022 3:43:46 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z

Will do on the abutters, just pinged the assessor again. The notice you sent looks fine.

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Date: Thursday, January 20, 2022 at 2:05 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

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David A. Ball | Principal | Cohen and Wolf, P.C.
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, January 20, 2022 12:42 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z

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To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/21/2022 10:41:47 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z
Attachments: 55 greens farms abutters map[10].pdf; 92 greens farms abutters map #2[91].pdf

Dave – the Assessor confirmed the 100 ft abutters lists that you ran and provided to me on Wednesday. The attached maps visually identify those properties, FYI. The Town is not going to send duplicates to those abutters so just let me know when you will mail out.

Did confirm that the newspaper notice ran today. Once we get the invoice I'll forward to you.

BERCHEM MOSES PC

Nicholas R. Bamonte
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From: HearstMediaCT, Legals <legals@hearstmediact.com>
Sent: Wednesday, January 19, 2022 10:20 AM
To: McNally, Stephanie <smcnally@westportct.gov>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Stephanie,

Attached is a proof for your review and approval.

Please Note: Deadline is at 12PM EST today

Thanks,

Ethan

Hearst Media Legals
(203)-333-4151
MON-FRI 8:30 a.m. - 4:00 p.m.

*****WE WILL BE CLOSED MONDAY, JANUARY 17th IN OBSERVANCE OF MARTIN LUTHER KING JR. DAY**
PLEASE ASK YOUR REP FOR DEADLINE INFORMATION

*****ATTENTION PLEASE READ*****

When reviewing proofs please be sure to check the billing info and if anything needs to be updated please advise your rep.

AFFIDAVITS must now be requested on all orders at the time of placing ads going forward.

AFFIDAVITS & LIQUOR PERMIT PAPERWORK...will be processed within 7-10 Business Days after the last run date and will then be mailed to you.

Going forward if ads are not approved by deadline they WILL NOT run. Please be sure you are reviewing & approving them within a timely manner. Thank you!

Address for Checks/Payments:
Hearst Media Services
301 Merritt 7
Norwalk, CT 06851

Connecticut Post | The News-Times | The Hour |The Advocate | Greenwich Time|Darien Times |Fairfield Citizen | New Canaan Advertiser | Westport News | The Spectrum | Shelton Herald I The Milford Mirror I The Ridgefield Press I The Trumbull Times I The Wilton Bulletin

---

From: McNally, Stephanie <smcnally@westportct.gov>
Sent: Wednesday, January 19, 2022 10:02 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: [EXTERNAL] Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

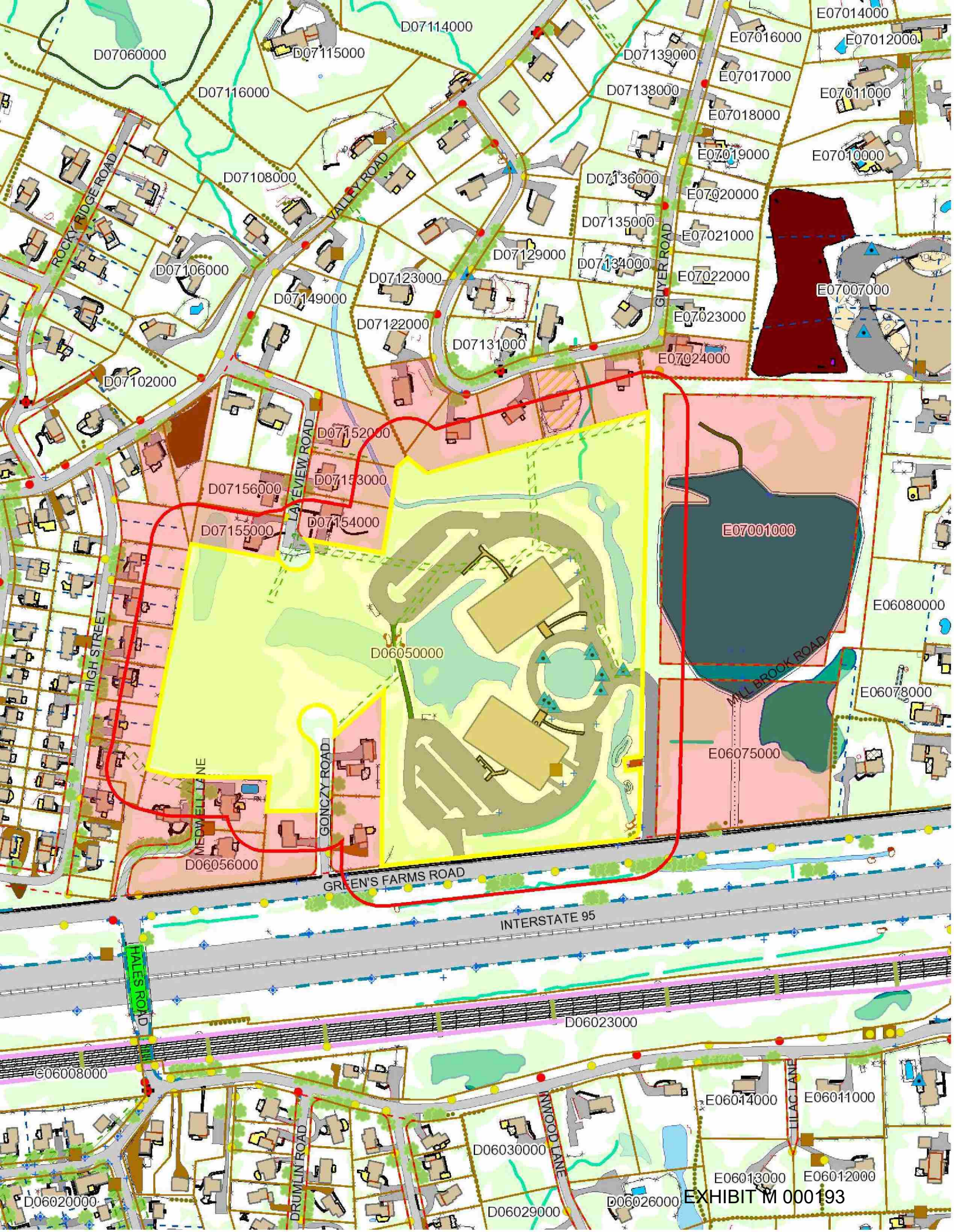
Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030

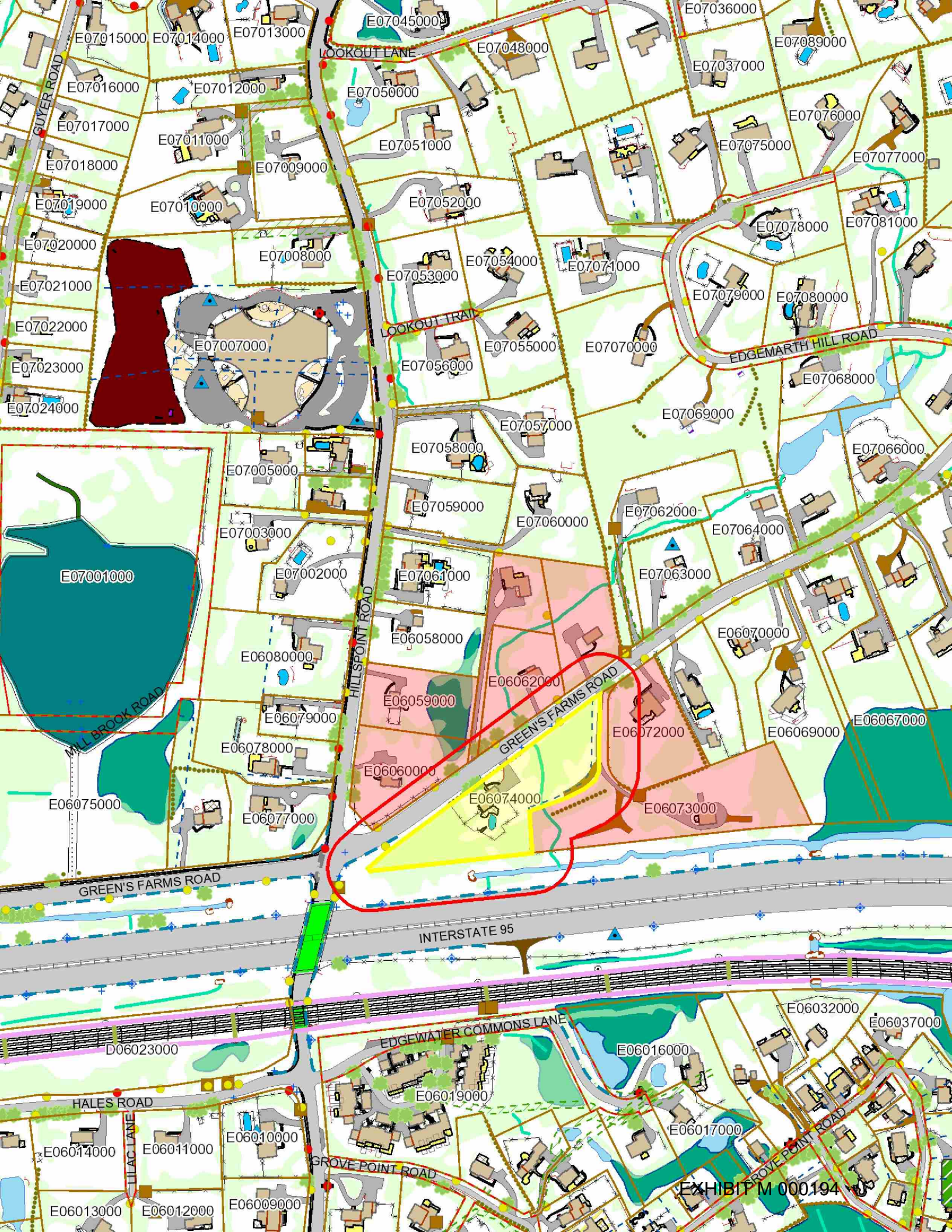


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-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

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GONCZY ROAD
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INTERSTATE 95
HALES ROAD
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TILAC LANE
WOODLAND LANE
D06030000
DRUMLIN ROAD
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HALES ROAD
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E06010000
E06014000
E06011000
LILAC LANE
GROVE POINT ROAD
GROVE POINT ROAD
E06013000
E06012000
E06009000

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/21/2022 2:40:21 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z
Attachments: 2022-01-21 Signed Letters to Abutters (55 Greens Farms Road).pdf; 2021-01-21 Signed Letters to Abutters (92 Greens Farms Road).pdf

Nick,

We sent the notice out to all of the abutters today via certified mail. I've attached copies of each of the signed letters.

David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Friday, January 21, 2022 10:42 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z

Dave – the Assessor confirmed the 100 ft abutters lists that you ran and provided to me on Wednesday. The attached maps visually identify those properties, FYI. The Town is not going to send duplicates to those abutters so just let me know when you will mail out.

Did confirm that the newspaper notice ran today. Once we get the invoice I'll forward to you.

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Date: Thursday, January 20, 2022 at 2:05 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

No problem Nick. Let me know when you've spoken with the assessor, and let me know if you have any comments on my draft notice to the abutters.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, January 20, 2022 12:42 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Notice of Public Information Meeting=PO#201900705S P&Z

Dave – Forgot to forward this slightly revised version that went to the paper. The original that I sent you yesterday said that the meeting would be televised in addition to zoom, but that is not the case and it will only be via zoom. So the operative notice does not mention any televising – see attached.

Still trying to get confirmation on the abutters from the Assessor.

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: McNally, Stephanie <smcnally@westportct.gov>
Date: Wednesday, January 19, 2022 at 11:31 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Hello,

There was a last minute change to this notice! Is there still time to change it, see attached.

SORRY! ☹

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030

From: McNally, Stephanie
Sent: Wednesday, January 19, 2022 10:23 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Notice of Public Information Meeting=PO#201900705S P&Z

Perfect
OK to post! Thanks Ethan!

Ethan, there was 1 other legal notice sent this AM- didn't want it to get lost
Thanks!

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030

From: HearstMediaCT, Legals <legals@hearstmediact.com>
Sent: Wednesday, January 19, 2022 10:20 AM
To: McNally, Stephanie <smcnally@westportct.gov>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Re: Notice of Public Information Meeting=PO#201900705S P&Z

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Hello Stephanie,

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Please Note: Deadline is at 12PM EST today

Thanks,

Ethan

Hearst Media Legals

(203)-333-4151

MON-FRI 8:30 a.m. - 4:00 p.m.

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PLEASE ASK YOUR REP FOR DEADLINE INFORMATION

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AFFIDAVITS & LIQUOR PERMIT PAPERWORK...will be processed within 7-10 Business Days after the last run date and will then be mailed to you.

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301 Merritt 7
Norwalk, CT 06851

Connecticut Post | The News-Times | The Hour |The Advocate | Greenwich Time|Darien Times |Fairfield Citizen | New Canaan Advertiser | Westport News | The Spectrum | Shelton Herald I The Milford Mirror I The Ridgefield Press I The Trumbull Times I The Wilton Bulletin

---

From: McNally, Stephanie <smcnally@westportct.gov>
Sent: Wednesday, January 19, 2022 10:02 AM
To: HearstMediaCT, Legals <legals@hearstmediact.com>

Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: [EXTERNAL] Notice of Public Information Meeting=PO#201900705S P&Z

The attached is Notice of Public Information Meeting= PO# 20190070S P&Z

To be published in: The Westport News

To be published Once: Friday, January 21, 2022,

Our Account #182663

Please reply to this e-mail address confirming receipt of this notice request and send proof at your earliest convenience.

Stephanie McNally
Pronouns: She/Her
Administrative Assistant II
(203) 341-1030



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COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Suzanne M. Adams Trustee
8 Lakeview Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

To Whom It May Concern,

Tarpon Towers II, LLC and New Cingular Wireless PCS, LLC ("AT&T") (collectively the "Applicants") will be filing an application with the Connecticut Siting Council to locate a wireless telecommunications tower facility at one of the two locations above in Westport.

The proposal includes the construction, maintenance and operation of a 124-foot wireless telecommunication tower facility and associated equipment ("Facility"). The Facility is being proposed to allow AT&T, Verizon Wireless, and other carriers to provide wireless services in this area of the state. AT&T would be located at a centerline height of 120 feet, and Verizon would be located at a centerline height of 110 feet. The Facility will accommodate the equipment of two other wireless carriers. The Town's emergency services would also be able to locate communication equipment on the Facility to enhance the municipal emergency communications system.

State statute provides that the Town and the Applicants may hold a public information meeting. All abutting property owners are entitled to receive notice of the public information meeting. Please accept this correspondence as notice that a remote Public Information Meeting regarding this proposal will be held on **Tuesday, February 8, 2022**, at 7:00 P.M. via the following Zoom link:

COHEN and WOLF P.C. ATTORNEYS AT LAW

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Corporation of Assumption Catholic Church
98 Riverside Avenue
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
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+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Jonathan E. Best
Eileen B. Regan
59 Valley Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Christopher J. Buckley
Mark Ciano
27 Guyer Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

To Whom It May Concern,

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Meeting ID: 859 3806 0095
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Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Mildred D. Bunche
29 Guyer Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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1115 Broad Street
P.O. Box 1821
Bridgeport, CT 06601-1821
Tel: (203) 368-0211
Fax: (203) 394-9901

158 Deer Hill Avenue
Danbury, CT 06810
Tel: (203) 792-2771
Fax: (203) 791-8149

320 Post Road West
Westport, CT 06880
Tel: (203) 222-1034
Fax: (203) 222-1425

COHEN and WOLF P.C. ATTORNEYS AT LAW

Join Zoom Meeting
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Meeting ID: 859 3806 0095
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Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Brittany A. Coale
51 Greens Farms Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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COHEN and WOLF P.C. ATTORNEYS AT LAW

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Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
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+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Colin S. and Dianne Crowley
25 High Street
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Sandro DaSilva
Eduarda A. Mascarenhas
2 Medwell Lane
Westport, CT 06880

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Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
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January 21, 2022

VIA CERTIFIED MAIL

Ryan and Jennifer Driscoll
11 High Street
Westport, CT 06880

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Proposed Wireless Telecommunications Facility
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55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Paolo Fontana
Barbara C. Oseguera
3 Medwell Lane
Westport, CT 06880

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January 21, 2022

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Hugh Freeland
25 Guyer Road
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Melissa and Ernesto Giraldez
17 High Street
Westport, CT 06880

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9 Lakeview Road
Westport, CT 06880

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E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Cindy Jiang
4 Gonczy Road
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Thomas and Lucinda Kerrigan
32 High Street
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Salvatore C. and Elizabeth Lomanto
23 Guyer Road
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Philip G. and Noelle Lopresti
23 High Street
Westport, CT 06880

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January 21, 2022

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Anthony and Jeanine Nashawaty
5 Lakeview Road
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Patrick P. and Elaine M. O'Keefe
31 Guyer Road
Westport, CT 06880

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Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Elizabeth and Rocco F. Petretta
16 High Street
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

To Whom It May Concern,

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January 21, 2022

VIA CERTIFIED MAIL

Kimberly L. and John J. Porio
33 Guyer Road
Westport, CT 06880

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Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Thomas and Nancy Purcell
6 Lakeview Road
Westport, CT 06880

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Proposed Wireless Telecommunications Facility
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55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

David A. and Deborah H. Robicheau
7 High Street
Westport, CT 06880

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January 21, 2022

VIA CERTIFIED MAIL

Caio F. and Danielle P. Rossoni
7 Lakeview Road
Westport, CT 06880

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55 Greens Farms Road, Westport, Connecticut

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E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Stephen Silver
21 High Street
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

State of Connecticut
DOT Excess
30 Trinity Street
Hartford, CT 06106

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Mehdi and Elizabeth Sunderji
55 Valley Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
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55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Town of Westport
110 Myrtle Avenue
Westport, CT 06880

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55 Greens Farms Road, Westport, Connecticut

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P.O. Box 1821
Bridgeport, CT 06601-1821
Tel: (203) 368-0211
Fax: (203) 394-9901

158 Deer Hill Avenue
Danbury, CT 06810
Tel: (203) 792-2771
Fax: (203) 791-8149

320 Post Road West
Westport, CT 06880
Tel: (203) 222-1034
Fax: (203) 222-1035

COHEN and WOLF PC ATTORNEYS AT LAW

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January 21, 2022

VIA CERTIFIED MAIL

Manoj and Sangita Wadhwani
4 Medwell Lane
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Paul H. and Maria F. Wichmann
1 Gonczy Road
Westport, CT 06880

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92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Bivash and Mousumi Bhattacharya
101 Greens Farms Road
Westport, CT 06880

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Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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January 21, 2022

VIA CERTIFIED MAIL

Craig and Elizabeth Fisher
102 Greens Farms Road
Westport, CT 06880

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92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Joshua Harkey
107 Hillspoint Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

To Whom It May Concern,

Tarpon Towers II, LLC and New Cingular Wireless PCS, LLC ("AT&T") (collectively the "Applicants") will be filing an application with the Connecticut Siting Council to locate a wireless telecommunications tower facility at one of the two locations above in Westport.

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State statute provides that the Town and the Applicants may hold a public information meeting. All abutting property owners are entitled to receive notice of the public information meeting. Please accept this correspondence as notice that a remote Public Information Meeting regarding this proposal will be held on **Tuesday, February 8, 2022**, at 7:00 P.M. via the following Zoom link:

COHEN and WOLF P.C. ATTORNEYS AT LAW

Join Zoom Meeting
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Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Very truly yours,

David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Jacqueline Hayes
111 Hillspoint Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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David A. Ball

COHEN and WOLF P.C.
ATTORNEYS AT LAW

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Scott and Dawn Mikuszewski
106 Greens Farms Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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David A. Ball

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ATTORNEYS AT LAW

DAVID A. BALL

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E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

Rafael G. Polanco
Diana L. Cardona
105 Greens Farms Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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David A. Ball

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DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

January 21, 2022

VIA CERTIFIED MAIL

William Trefzger
99 Greens Farms Road
Westport, CT 06880

RE: Tarpon Towers II, LLC and AT&T
Proposed Wireless Telecommunications Facility
92 Greens Farms Road, Westport, Connecticut
55 Greens Farms Road, Westport, Connecticut

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Very truly yours,

David A. Ball

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/24/2022 11:12:43 AM
To: Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: 55 Greens Farms Road - site visit - January 28th at 1 p.m.

Ira and Nick,

You are probably aware that on Friday, January 28th, the Town's Conservation Commission is planning to inspect the site at 55 GFR where the tower and access road would be built. My understanding is that the survey work will be done by then, so the proposed access road will be staked out.

Doug Roberts and I are planning to attend, so hopefully one of you will be able to attend as well. In addition, our wetlands consultant, Dean Gustafson from All-Points Technology, will attend. I know that Alicia Mozian wanted to speak with our consultant, so this will be an opportunity. Of course, if she wants to chat with Mr. Gustafson prior to Friday, please let me know and I'll be happy to facilitate that conversation.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/25/2022 9:46:23 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: Friday site visits

Ira,

I've been advised that the owner of 92 Greens Farms Road will permit the Conservation Commission to inspect the property at 2 p.m. on Friday, January 28th. I assume that timing is perfect, since the meeting at 55 Greens Farms Road will be at 1 p.m.

Please let Alicia Mozian know, and get back to me to confirm.

Thanks,
David

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P: 203.337.4134 | F: 203.337.5534
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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/25/2022 9:46:51 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Automatic reply: Friday site visits

I will be out of the office on January 25, but will return your message as soon as I can.

-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/25/2022 9:53:25 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: FW: Friday site visits

Good morning Nick. I got an out of office reply from Ira, so I'm forwarding this message to you as well. If you can pass it on to Alicia Mozian and get back to me as to whether she would like to inspect the property at 92 Greens Farms Road at 2 p.m. on Friday (following the 1 p.m. meeting at 55 Greens Farms Road), I'd appreciate it.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ball, David A.
Sent: Tuesday, January 25, 2022 9:46 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Friday site visits

Ira,

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Please let Alicia Mozian know, and get back to me to confirm.

Thanks,
David

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P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/25/2022 10:37:05 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: Re: Friday site visits

Hi David

Yes I will reach out to Alicia asap, not sure if she will have to notice this separately. Will let you know if there are any issues.

Nick

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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On Jan 25, 2022, at 9:53 AM, Ball, David A. <DBall@cohenandwolf.com> wrote:

Good morning Nick. I got an out of office reply from Ira, so I'm forwarding this message to you as well. If you can pass it on to Alicia Mozian and get back to me as to whether she would like to inspect the property at 92 Greens Farms Road at 2 p.m. on Friday (following the 1 p.m. meeting at 55 Greens Farms Road), I'd appreciate it.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ball, David A.
Sent: Tuesday, January 25, 2022 9:46 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Friday site visits

Ira,

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/25/2022 4:01:27 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: Re: Friday site visits

Dave – Spoke to Alicia, 2 PM at 92 would be fine. Can we park in the driveway or just the road?

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
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P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

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Sent: 1/25/2022 4:58:44 PM
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CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: Friday site visits

Nick –

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David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Tuesday, January 25, 2022 4:01 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>
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BERCHEM MOSES PC

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Berchem Moses PC

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Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Friday site visits

Good morning Nick. I got an out of office reply from Ira, so I'm forwarding this message to you as well. If you can pass it on to Alicia Mozian and get back to me as to whether she would like to inspect the property at 92 Greens Farms Road at 2 p.m. on Friday (following the 1 p.m. meeting at 55 Greens Farms Road), I'd appreciate it.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Ball, David A.
Sent: Tuesday, January 25, 2022 9:46 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Friday site visits

Ira,

I've been advised that the owner of 92 Greens Farms Road will permit the Conservation Commission to inspect the property at 2 p.m. on Friday, January 28th. I assume that timing is perfect, since the meeting at 55 Greens Farms Road will be at 1 p.m.

Please let Alicia Mozian know, and get back to me to confirm.

Thanks,
David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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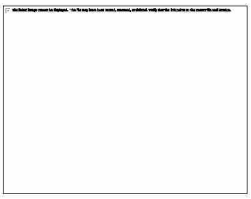
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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/26/2022 9:36:38 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Site walk

Dave - I just spoke to Alicia, she doesn't think we will be at 55 for a whole hour. If we finish early at 55 will everyone be able to go right to 92?

Nick



Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/26/2022 10:18:14 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Site walk

Good morning Nick. Yes, we can all go directly to 92 GFR as soon as we're finished at 55. I'll let my folks know.

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P: 203.337.4134 | F: 203.337.5534
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 9:37 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: Site walk

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/26/2022 10:59:34 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: Site walk

David,

Thanks for the quick response earlier. See below from Alicia, I have no objection to them talking. Seems like an important bit of information to know.

Nick

BERCHEM MOSES PC

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From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Wednesday, January 26, 2022 10:46 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Thanks Nick. Hopefully, we can get through the field trip before the snow starts to fly too much.

Also, if Atty Ball would let me talk to his environmental consultant beforehand, that would be great. Otherwise, I am mostly interested in telling him/her that he/she should be prepared to be clear about the location of the access road (which will also become apparent after the surveyor stakes it.)
This, in turn, will speak to the construction sequence for installing the tower, the methodology, site remediation. Where the access road is will have a significant role in answering these questions.

You are welcome to just forward this to Atty Ball instead.

Thanks,

Alicia

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 10:26 AM
To: Mozian, Alicia <AMOZIAN@westportct.gov>

Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Site walk

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, January 26, 2022 10:18 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Good morning Nick. Yes, we can all go directly to 92 GFR as soon as we're finished at 55. I'll let my folks know.

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dball@cohenandwolf.com | www.cohenandwolf.com

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Sent: Wednesday, January 26, 2022 9:37 AM
To: Ball, David A. <DBall@cohenandwolf.com>
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Sent: 1/26/2022 11:01:46 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Site walk

Yes, this is not a problem. I told Ira that we were happy to have our consultants speak directly with Alicia in advance. Let me give them a heads-up and then we can put them in touch directly.

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:00 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Site walk

David,

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Nick

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Alicia

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To: Mozian, Alicia <AMOZIAN@westportct.gov>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Site walk

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Sent: Wednesday, January 26, 2022 9:37 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: Site walk

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/26/2022 11:02:57 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: Site walk

Great thank you

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, January 26, 2022 11:02 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Yes, this is not a problem. I told Ira that we were happy to have our consultants speak directly with Alicia in advance. Let me give them a heads-up and then we can put them in touch directly.

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:00 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Site walk

David,

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Nick

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From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Wednesday, January 26, 2022 10:46 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Thanks Nick. Hopefully, we can get through the field trip before the snow starts to fly too much.

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Alicia

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 10:26 AM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Site walk

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, January 26, 2022 10:18 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Good morning Nick. Yes, we can all go directly to 92 GFR as soon as we're finished at 55. I'll let my folks know.

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 1/26/2022 12:02:04 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Site walk

Nick,

Our wetlands consultant is Dean Gustafson with All-Points Technology Corporation. Here is his contact information which you should pass on to Alicia. Dean should be available to speak with her directly this afternoon.

ALL-POINTS TECHNOLOGY CORPORATION

DEAN GUSTAFSON
Professional Soil Scientist & Senior Wetland Scientist
D| 860.552.2033 · **M**| 860.984.9515 · **W**| www.allpointstech.com
567 Vauxhall Street Extension – Suite 311, Waterford, CT 06385

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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:03 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: RE: Site walk

Great thank you

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dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:00 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Site walk

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To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Thanks Nick. Hopefully, we can get through the field trip before the snow starts to fly too much.

Also, if Atty Ball would let me talk to his environmental consultant beforehand, that would be great. Otherwise, I am mostly interested in telling him/her that he/she should be prepared to be clear about the location of the access road (which will also become apparent after the surveyor stakes it.)

This, in turn, will speak to the construction sequence for installing the tower, the methodology, site remediation. Where the access road is will have a significant role in answering these questions.

You are welcome to just forward this to Atty Ball instead.

Thanks,

Alicia

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 10:26 AM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Site walk

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FYI

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, January 26, 2022 10:18 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Good morning Nick. Yes, we can all go directly to 92 GFR as soon as we're finished at 55. I'll let my folks know.

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 9:37 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: Site walk

Dave - I just spoke to Alicia, she doesn't think we will be at 55 for a whole hour. If we finish early at 55 will everyone be able to go right to 92?

Nick

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 1/26/2022 12:33:44 PM
To: Mozian, Alicia [AMOZIAN@westportct.gov]
CC: Ball, David A. [dball@cohenandwolf.com]; Ira Bloom [ibloom@berchemmoses.com]
Subject: FW: Site walk

Alicia:

Attorney Ball has no issue with you and Dean Gustafson, Tarpon's wetlands consultant, speaking directly. Please feel free to contact Mr. Gustafson at his contact info below.

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Wednesday, January 26, 2022 12:02 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Nick,

Our wetlands consultant is Dean Gustafson with All-Points Technology Corporation. Here is his contact information which you should pass on to Alicia. Dean should be available to speak with her directly this afternoon.

ALL-POINTS TECHNOLOGY CORPORATION

DEAN GUSTAFSON
Professional Soil Scientist & Senior Wetland Scientist
D | 860.552.2033 · **M** | 860.984.9515 · **W** | www.allpointstech.com
567 Vauxhall Street Extension – Suite 311, Waterford, CT 06385

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his

dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:03 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: RE: Site walk

Great thank you

BERCHEM MOSES PC

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Berchem Moses PC

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Sent: Wednesday, January 26, 2022 11:02 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

Yes, this is not a problem. I told Ira that we were happy to have our consultants speak directly with Alicia in advance. Let me give them a heads-up and then we can put them in touch directly.

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Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, January 26, 2022 11:00 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Site walk

David,

Thanks for the quick response earlier. See below from Alicia, I have no objection to them talking. Seems like an important bit of information to know.

Nick

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From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Wednesday, January 26, 2022 10:46 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Site walk

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Also, if Atty Ball would let me talk to his environmental consultant beforehand, that would be great. Otherwise, I am mostly interested in telling him/her that he/she should be prepared to be clear about the location of the access road (which will also become apparent after the surveyor stakes it.)
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Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Site walk

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 1/31/2022 4:52:11 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: FW: 55 Greens Farms Rd. Stipulated Settlement Agreement
Attachments: 20220131143622960.pdf

David and Phil: This came in today and I just read it. Passing it on to you for now. Ira

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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-----Original Message-----
From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Monday, January 31, 2022 3:02 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: 55 Greens Farms Rd. Stipulated Settlement Agreement

Dear Ira,

It came to my attention from an abutting property owner to 55 Greens Farms Rd that there were deed restrictions on the property that prevented the area in the vicinity of the proposed cell tower from being disturbed. After digging into the P&Z and Town Clerk's records I did find the attached Stipulated Settlement

Agreement from June of 1979. The case was filed against the P&Z Commission when it approved the development of the office park.

You'll see condition "p" on Page 4 states that: "a final landscaping plan shall be submitted to the P&Z Landscape Sub-committee for review and comment of items a. through g. and i. through p. of this Stipulation shall be complied with prior to issuance of a zoning permit."
The landscape plan reviewed and approved in October of 1979 shows the area where the proposed tower is to be located and says: "Existing Woods to Remain."

Apparently, when the person I spoke with bought her house, the realtor said that area was required to remain undisturbed....

Please pass this along to Attorney Ball so he can share with the person doing the title search.

Thanks,

Alicia

-----Original Message-----
From: CONSERVATION SCANNER <conservation-scanner@westportct.gov>
Sent: Monday, January 31, 2022 2:36 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Message from "TH-Conservation-MP2555"

This E-mail was sent from "TH-Conservation-MP2555" (MP 2555).

Scan Date: 01.31.2022 14:36:22 (-0500)
Queries to: CONSERVATION-SCANNER@WestportCT.gov

-- WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office which requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, PRIOR TO WIRING OR OTHERWISE TRANSFERRING FUNDS.

Rec'd: Oct 79
11-5-79

STATE OF CONNECTICUT

NO. CV 77 0118974L	:	SUPERIOR COURT
ELIZABETH GORDON, TRUSTEE	:	JUDICIAL DISTRICT OF FAIRFIELD
VS.	:	AT BRIDGEPORT
PLANNING AND ZONING COMMISSION OF THE TOWN OF WESTPORT	:	DECEMBER 15, 1978

Present, Honorable Burton J. Jacobson

JUDGMENT

This appeal claiming reversal of a decision by the defendant Commission and other relief, came to this Court on the Third Tuesday of October, 1977; and thence to the present time, when the parties appeared for trial and the Court heard evidence on the question of aggrievement and reviewed and approved a written Stipulation for Judgment as hereinafter set forth.

The Court, having heard the parties on the issue of aggrievement and with respect to the matters set forth in the Stipulation, finds:

A. that the plaintiff is aggrieved by the decision appealed from and has standing to maintain this appeal;

B. that judgment should enter in accordance with the Stipulation of the parties.

WHEREUPON, it is adjudged:

1. that the issues are found for the plaintiff and her appeal is sustained;

2. that a special permit shall issue forthwith, subject to the following terms and conditions:

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SEP 27 1979
WESTPORT P. & Z.C.

a. that the gross floor area of all buildings to be erected on the site shall not exceed 120,000 square feet;

b. that building coverage shall not exceed that proposed in the original application;

c. that no building shall exceed 40' in height, as measured from existing grade at 12' elevation;

d. that all site work and parking areas be constructed substantially as proposed in the original application;

e. that a permit be obtained by the applicant from the State Department of Transportation, permitting the discharge of storm water from the proposed new culvert into the State Highway drainage systems abutting I-95;

f. that conditions (A), (B), (D) and (E) contained in the Conservation Commission approval of July 20, 1977 be satisfied;

g. that the portion of the proposed access road (Millbrook Road) from Greens Farms Road to and including the driveway entrance to the site shall be built to current Town standards for a "minor street" (i.e., 40' width), and that plans and profiles for construction of that road be submitted to the Town Engineer for a determination of compliance;

h. that during the first year following issuance of a building certificate of occupancy for any building, the owner

EXHIBIT M 000309

shall not rent less than 10,000 square feet of net rentable floor area to any tenant; that in the second year following issuance of such certificate of occupancy, the buildings shall not be occupied by more than 15 tenants; and, that in the third and subsequent years following issuance of such certificate of occupancy, the buildings shall not be occupied by more than 18 tenants; and, tenancy shall be limited to general business offices and professional offices, excluding medical offices.

i. that a bond shall be posted to guarantee completion of the improvements, such bond to be in a form prescribed by Section 43-13 of the Westport Zoning Regulations and in an amount not to exceed $150,000; Suggest CO's, subject to approval by T Atty. Covers sewer, drainage + road.

j. that conditions 1, 2 and 4 through 13 contained in the sewer authority approval of July 11, 1977 shall be satisfied; #8 Basement Insp

k.* that the conditions dated July 31, 1977, as corrected on August 2, 1977, which attach to the Flood and Erosion Control Board approval of July 17, 1977, shall be satisfied; F+ECB re bridge culvert sketch letter of 2/28/79 10/15/79 F+ECB letter re culvert deletion Engr - Rd opening permit

l. that details of the design for lighting standards shall be submitted to the Westport Planning Director to determine compliance with Section 32-7 of the Westport Zoning Regulations;

* Reg Culvert #1 + #6 per F+ECB
#2 deleted
#3, 4 + 5 to Engr later

Plans say 100 m Bldg
F+E Plan show 68
Short 32 plus Handicap (4±)
Delete 2 for dumpsters
Need 32+4+2 = 38 spaces

EXHIBIT M 000310

m. that an emergency vehicular access shall be provided across the stream and between the parking areas on the property and that plans and profiles for construction shall be submitted to the Town Engineer for a determination of compliance with applicable construction standards and to the Chairman of the Flood and Erosion Control Board for the same purpose; Xerox plan w/ grade notes & culvert sheets

n. that final drawings, lists of materials and samples and final elevation be provided to the Architectural Review Board as recommended in the minutes of its meeting of June 21, 1977;

o. that the special permit hereby ordered to be granted shall commence upon filing of the same with the Town Clerk as provided by statute and shall remain in effect for a period of one year after final resolution of a pending action for declaratory judgment commenced by the Westport Homeowners' Association and returnable to this Court on the Third Tuesday of June, 1977, and that prior to the expiration of such one year period a zoning permit shall be obtained.

p. a final landscaping plan shall be submitted to the P & Z landscape sub-committee for review and comment of items a. through g. and i. through p. of this Stipulation shall be complied with prior to the issuance of a zoning permit. Sub, Rec'd Revised 10/31/79 w/ A Gill

3. that this Court shall retain jurisdiction over this matter for the limited purpose of resolving any question or disputes as to the interpretation or implementation of this judgment, and all such

EXHIBIT M 000311

disputes shall be referred to the undersigned.

4. No costs shall be taxed against either party.

BY THE COURT

/s/ Jacobson, J.
~~Clerk~~

I hereby certify that the foregoing Judgment file conforms to the Judgment entered by the Court.

ELIZABETH GORDON, TRUSTEE,
PLAINTIFF

By Lawrence P. Weisman
LAWRENCE P. WEISMAN of
Cohen and Wolf, P.C.,
Her Attorneys, 10 Middle
Street, Bridgeport, Conn.,
06604, Comp. #10032.
Tel. No. 368-0211

THE PLANNING AND ZONING COMMISSION
OF THE TOWN OF WESTPORT, DEFENDANT

By
KEITH D. DUNNIGAN of
Bai, Pollock and Dunnigan,
Its Attorneys, 10 Middle
Street, Bridgeport, Conn.,
06604. Tel. No. 366-7991

MB; DF & MrF
11-5-79
Maybe:
a) plg under total bldg ft reduce plg at grade w/ one-way dr.
b) 33' Hullbrook Rd
c) Belgian block for curbs
Add 5 loading spaces 12x30 in front rotary
Dumpster in plg area under the bldg
no mechanicals on the roof
Disc. "future" alterations

EXHIBIT M 000312

No. 118974

ELIZABETH GORDON, TRUSTEE

vs.

PLANNING AND ZONING COMMISSION OF THE TOWN OF WESTPORT

STATE OF CONNECTICUT

Judicial District of Fairfield
at Bridgeport

ss. Superior Court

I, BERNARD J. LUCKART, Clerk of the Superior Court for the Judicial District of Fairfield at Bridgeport, hereby certify that the within and foregoing is a true copy of the original Judgment

in said cause, as on file and of record appears.

In witness whereof, I have hereunto set my hand and the Seal of said Court at Bridgeport, in said Judicial District, this 1st day of June, 1979

BERNARD J. LUCKART, Clerk

by Donald J. Mackey Deputy Clerk.

JD 3055-CSP

NOTE: ALL CULVERTS LISTED BELOW SHALL BE PRECAST REINF CONC BOX CULVERTS, H-20 LOADING OR RCP CLASS III WALL BE AS NOTED

CULVERT DATA

BASED ON 25 STORM FREQUENCY DATA

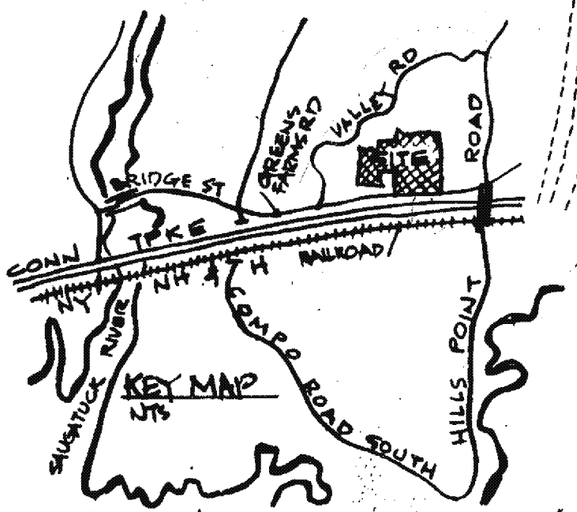
* WATERSHED 491 ACRES
* CFS EXISTING CONDITIONS 343 CFS
  CFS FROM SITE DEVELOPMENT 61.4 CFS
  * TOWN OF WESTPORT DATA (701 REPORT)

◆ GREENS FARMS ROAD - 404 CFS - EXISTING 48" PIPE / 80 CFS - CULVERT #1 - 400 CFS +-
STRUCTURE SHALL BE A 4'X10' BOX CULVERT REINF CONC
V = 9.0 - S = .005± INVERTS; SOUTH (OUTLET) - 5.0' ▫ NORTH (INLET) - 5.6' (120'± @ .005)

◆ CULVERT # 3 & 4 - 122 CFS - 48"X76" PIPE (60")
OR 4'X5' BOX CULVERT - V = 7.3 - S = .005
◆ CULVERT # 5 - 282 CFS - 58"X91" PIPE (72")
OR 4'X7' BOX CULVERT - V = 11.2 - S = .0056

WETLANDS DATA

SOIL TYPE		AREA
461	(132340SF)	3.04 AC
75	(28750SF)	0.66 AC
	TOTAL	3.70 ACRES
% OF SITE IN WETLAND		17.2%



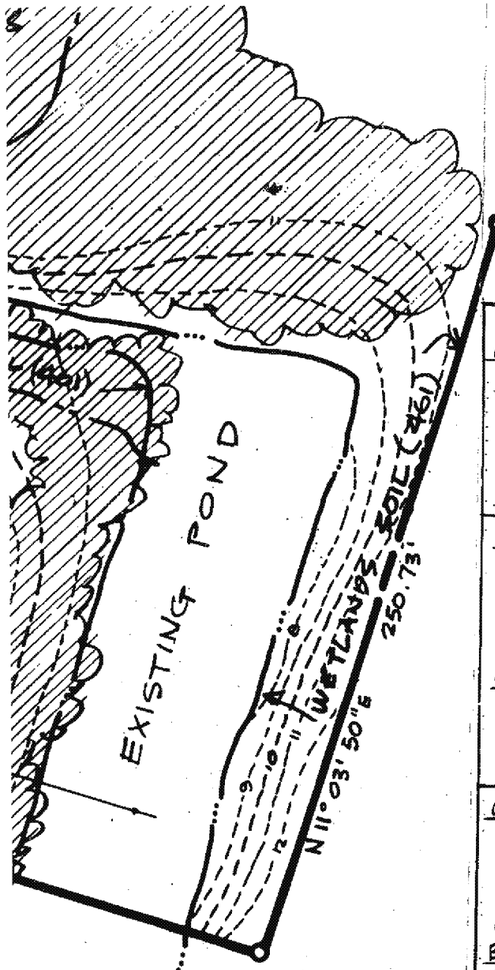
DATA REGARDING EXISTING SITE CONDITIONS IS TAKEN FROM SITE SURVEYS PREPARED BY FULLER & CO., INC., ENGINEERS - SURVEYORS, 1301 WOOD AVE., BRIDGEPORT, CONN; TITLED MAP OF PROPERTY OF ELIZABETH GORDON, TRUSTEE, GREENS FARMS RD, WESTPORT, CONN., SCALE 1"=50' DATED APRIL 5, 1977; AND TOPOGRAPHIC SURVEY OF THE NAT GREENBERG PROPERTY, WESTPORT, CONN., SCALE 1"=50' DATED OCTOBER 21, 1968.

BENCH MARK - ELEV 22.64' [USGS & WESTPORT DATUM - MEAN SEA LEVEL] TOP OF MANHOLE ON GONCZY DRIVE.

SITE PLAN

PARKING SHOWN • 447 CARS TOTAL
379 CARS ON SITE
68 CARS IN GARAGE(
SCALE 1"=50'

EXHIBIT M 000314



DATED: 11-16-79

ZONING ENFORCEMENT OFFICER

0 25 50 100 150 200

ZONING DATA CHART

ITEM	ZONE REQ.	SITE-PROPOSED
ZONE	DDD-4	DDD-4
USE	RESEARCH LABORATORY-OFFICE BUILDING	OFFICE BUILDING
LOT SIZE	ONE ACRE	21.49 AC.
SETBACKS - BLDG. OR STRUCTURE		
FRONT	50'	150' ±
SIDE STREET	30'	180' ±
ABUT RESID. P.L.	30'	205' ±
ABUT COMM. P.L.	20'	—
SETBACKS - PARKING		
FRONT	NONE	50' ±
SIDE STREET	NONE	50' ±
ABUT RESID. P.L.	NONE	50' ± MIN.
COVERAGE		
BUILDING	25% OF LOT	6062 SF = 6.47%
TOTAL DEVELOPMENT	NONE	22.2%
NOTE: 77.8% OF SITE IS EITHER PLANTING OR PONDS.		
GROSS F.A.R.	0.60% MAX. F.A.R.	0.28 F.A.R. = 120,000 SF
BUILDING HEIGHT	3 STORIES OR 40'	2 STORIES + GARAGE = 35'
PARKING	1 CAR/360 SF.	1 CAR/268 SF ±
NO. CARS	441	447 INCL. GARAGE
LOADING	AS NEEDED - 1 BAY/ 40,000 SF.	3 BAYS @ 13'x45' EA.
SIGNAGE	AS APPROVED/100 SF MAX	NONE EXC. TRAFFIC
BUFFERS		
BUILDING	150' TO NEAREST RESIDENCE BLDG.	250' ± MIN.
PARKING	50' TO NEAREST RESIDENCE BLDG.	95' ± MIN.

CATIONS
PROX
'O SAN-
ILES
NING
F SAME
/TEL/ELEC.)
HALL MEET CODES

STATE OF CONNECTICUT
DONALD L FERLOW
No. 192
LANDSCAPE ARCHITECT

SITE PLAN • LAYOUT · GRADING · DRAINAGE PLUS SCHEMATIC LOC SITE UTILITIES

MILLBROOK OFFICE PARK

MILLBROOK ROAD AND GREENS FARMS ROAD
WESTPORT CONNECTICUT

PROJECT NO.

ORIG - 6JUL1977

15OCT1979
DWG. DATE:

environmental design associates pc
landscape architects · environmental planners
69 grove street new canaan, conn.

1 SP
DRAWING NO.

Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 2/1/2022 12:00:02 PM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: Presentation materials for public session

Hello David,

We are starting to receive inquiries about materials that will be posted in advance of the Feb. 8 meeting. Unless we agree otherwise I have asked that the Town post the technical report that Tarpon provided last year and links to any press releases that have so far been issued by the Town. Will you be providing anything else, like a powerpoint, that we can post?

Thank you

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 2/1/2022 2:33:14 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: Presentation materials for public session

Nick,

That makes sense. I know that my client is preparing materials in connection with 55 Greens Farms Road. I'll send them to you once they're ready.

David

David A. Ball | Principal | Cohen and Wolf, P.C.
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Tuesday, February 1, 2022 12:00 PM
To: Ball, David A. <DBall@cohenandwolf.com>
Cc: Ira Bloom <ibloom@berchemmoses.com>
Subject: Presentation materials for public session

Hello David,

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 2/1/2022 4:17:04 PM
To: Ball, David A. [dball@cohenandwolf.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: FW: 55 & 92 Greens Farms Road Cell Tower

David and Phil: Please see comments and suggestions from Chair Anna Rycenga. Can we discuss these suggestions before the end of the week? Certainly it would be most useful if you could provide this information within a reasonable time to the Conservation Commission. Thank you. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Anna Rycenga <annarycenga@gmail.com>
Sent: Tuesday, February 1, 2022 1:43 PM
To: Ira Bloom <ibloom@bmdlaw.com>
Subject: 55 & 92 Greens Farms Road Cell Tower

Good afternoon Ira,

Thank you for your assistance last night. Below are my comments for the applicant to submit for 55 Greens Farms Road. In my previous email I sent to you, the applicant did indicate that he would submit the requested information weeks ago but has not to date. At last night's meeting I heard from the applicant that we will submit it when available.

However, I did fail to mention last night at the hearing that although there is regulated activity proposed it doesn't necessarily mean there can't be improvements with mitigation, restoration and or remediation. Examples are submitting an invasive species removal and maintenance control plan, preparing a native species planting plan, proposing conservation easements, stormwater runoff management plan that can improve the protection and quality of water, preparing a plan to remove flow-disrupting debris in the culvert, etc. I am certain you understand this but it "may" be considered for such proposed regulated activity.

I am not an expert in preparing these reports but in my long term professional land use career/experience, they can propose reasonable measures which would mitigate the impacts of the regulated activity.

Anyhow, below are my requests for review for 55 Greens Farms Road:

1. Environmental Assessment with wetlands inspection/delineation report with impact evaluation (including short and long term impacts).

2. Survey and proposed site plan reflecting the layout and configuration of the proposal, footprint of the compound, fencing, accessway drive, landscaping, lighting, wetlands crossing, elevations, utility connections and locations, generator, etc.)

3. Any mitigation, restoration, or remediation for the proposed regulated activity as detailed above.

4. Maintenance schedule for the proposed cell tower.

5. Construction sequence including time frames and details.

6. Explore other locations on site for the tower.

I completely understand and respect the request for consideration from the town to recommend having the cell tower located at 55 Greens Farms Road in a COMM zone but we have to consider the wetlands and watercourse impacts and what has been submitted to date for both sites.

Let me know if you have questions. Thank you.

Kindly,

Anna Rycenga, Chairman Conservation Commission

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 2/2/2022 3:35:49 PM
To: Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: Update re: 55 Greens Farms Road

Ira and Nick,

As Ira and I just discussed, the owner at 55 Greens Farms Road has pulled the plug on any further discussions with my client and is no longer interested in having a tower anywhere on his property. As you know, they had not executed a lease agreement.

If there are any other properties that the Town believes would be viable alternatives for us to explore, please let me know as soon as possible.

In the meantime, we will plan to move forward solely with 92 Greens Farms Road at the public information meeting on February 8th.

David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
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P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
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Message

From: Mozian, Alicia [AMOZIAN@westportct.gov]
Sent: 2/3/2022 9:54:32 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: Alternative Cell Tower location

Hi David,

Below is a suggestion for an alternative cell tower location in Westport. It is being suggested by a Westport resident who happens to be retired from Eversource and was our community liaison.

Not sure it will work but would be worth looking into.

Take care,

Alicia

From: Chris Swan <chrisswan47@yahoo.com>
Sent: Tuesday, February 1, 2022 4:48 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Re: Cell Tower location

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I also think they should discuss w Eversource then re-discuss w CDOT if Eversource were at least supportive.

Sent from Yahoo Mail for iPhone

On Tuesday, February 1, 2022, 4:46 PM, Chris Swan <chrisswan47@yahoo.com> wrote:

Sure pass along but no hadn't planned to attend the session.

Sent from Yahoo Mail for iPhone

On Tuesday, February 1, 2022, 12:59 PM, Mozian, Alicia <AMOZIAN@westportct.gov> wrote:

May I pass this e-mail onto Ira Bloom?

Are you planning on attending the February 8th public information meeting at 7:00 p.m. via zoom?

From: Chris Swan <chrisswan47@yahoo.com>
Sent: Tuesday, February 1, 2022 12:29 PM
To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Re: Cell Tower location

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...and I meant to add, I believe the ideal location to consider is immediately east of the Eversource substation known as Compo Substation, on South Compo Road, in between the I-95 and Metronorth RR, on either a new tower or mounted to the utility's monopole transmission towers one section east of the take off monopole structure feeding the substation. So again, I would be happy to discuss with you whenever.

Take care!

On Tuesday, February 1, 2022, 11:58:00 AM EST, Chris Swan <chrisswan47@yahoo.com> wrote:

Hi Alicia - I was talking to Don Bancroft a short while ago and he told me the latest on the proposed cell tower at 55 Greens Farms Rd.
While I like that location better than 92 Greens Farms, I know the issues with both.

So I asked him why either mounting cell equipment on a transmission structure or locating the site along the railroad wasn't being suggested? Anyway glad to give my input if needed.

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Sent from Yahoo Mail for iPhone

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From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 2/3/2022 3:27:31 PM
To: Mozian, Alicia [AMOZIAN@westportct.gov]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: RE: Alternative Cell Tower location

Thank you Alicia. My client will look into this.

David A. Ball | Principal | Cohen and Wolf, P.C.
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dball@cohenandwolf.com | www.cohenandwolf.com

From: Mozian, Alicia <AMOZIAN@westportct.gov>
Sent: Thursday, February 3, 2022 9:55 AM
To: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Alternative Cell Tower location

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Sent from Yahoo Mail for iPhone

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Sent: 2/4/2022 10:53:25 AM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: Informational meeting

Ira,

I just wanted to give you a heads-up that representatives from my client and AT&T will present the plans for 92 Greens Farms Road at Tuesday's informational meeting. We are putting together a power point presentation which I expect to be able to get to you on Monday.

If you'd like to discuss anything relating to the meeting, please feel free to call me.

David

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 2/4/2022 11:10:14 AM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: Informational meeting

OK. Thanks.

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
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ibloom@berchemmoses.com

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From: Ball, David A. <DBall@cohenandwolf.com>
Sent: Friday, February 4, 2022 10:53 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: Informational meeting

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 2/8/2022 2:47:15 PM
To: Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: Information meeting - power point
Attachments: Tarpon and ATT 92 GF Municipal Consultation (2-8-22).pptx

Ira and Nick,

I've attached a power point that Tarpon and AT&T will present at the meeting tonight.

Nick asked who on our side he should share control of the screen with, for purposes of the power point. Please provide that control to Doug Roberts.

Thanks,
David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
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Tarpon Towers II, LLC

CT1024 92 Greens Farms Road

Westport, CT

Municipal Consultation Public Meeting

Vicinity and Notification Maps

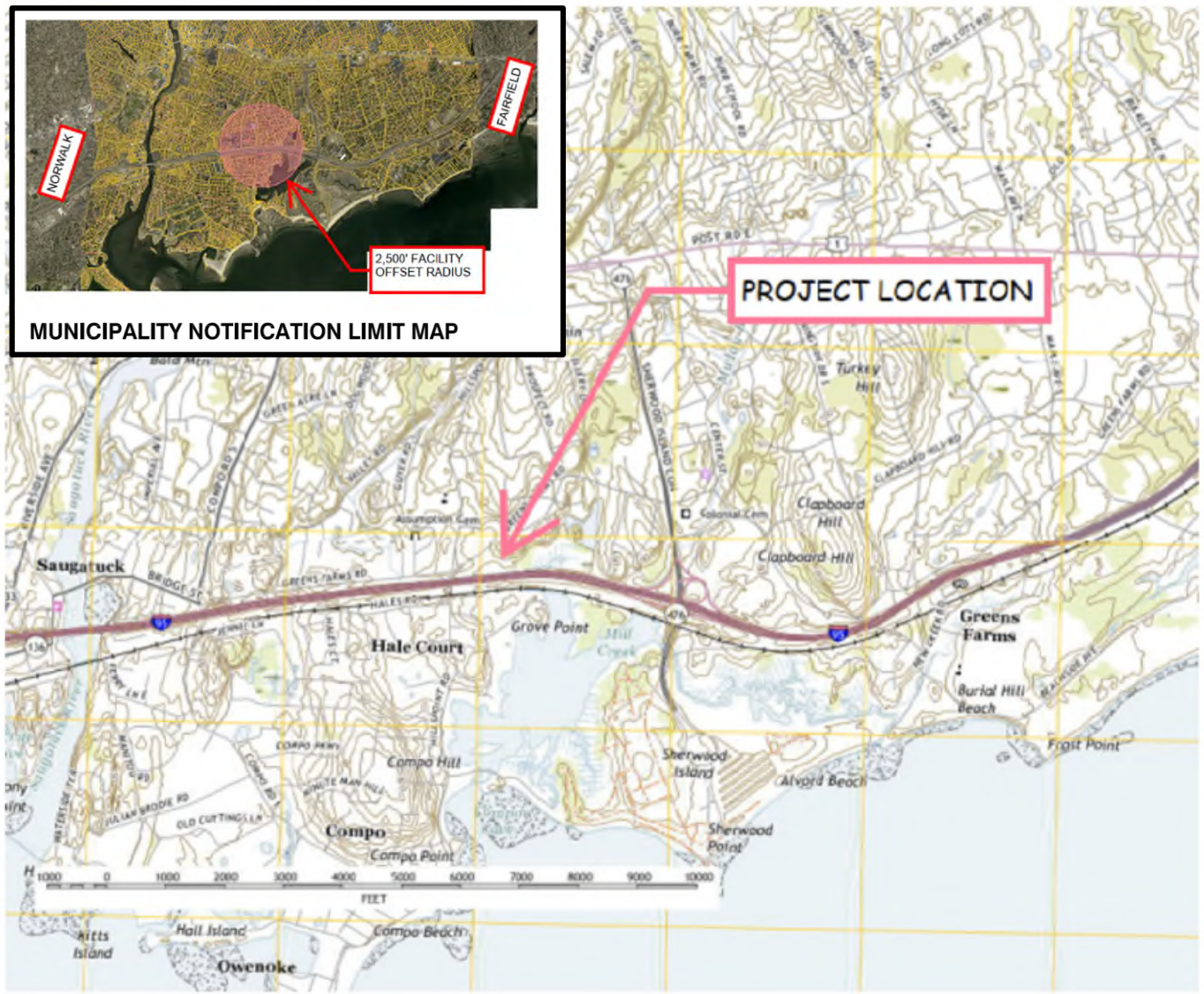


EXHIBIT M 000331

Site Plan

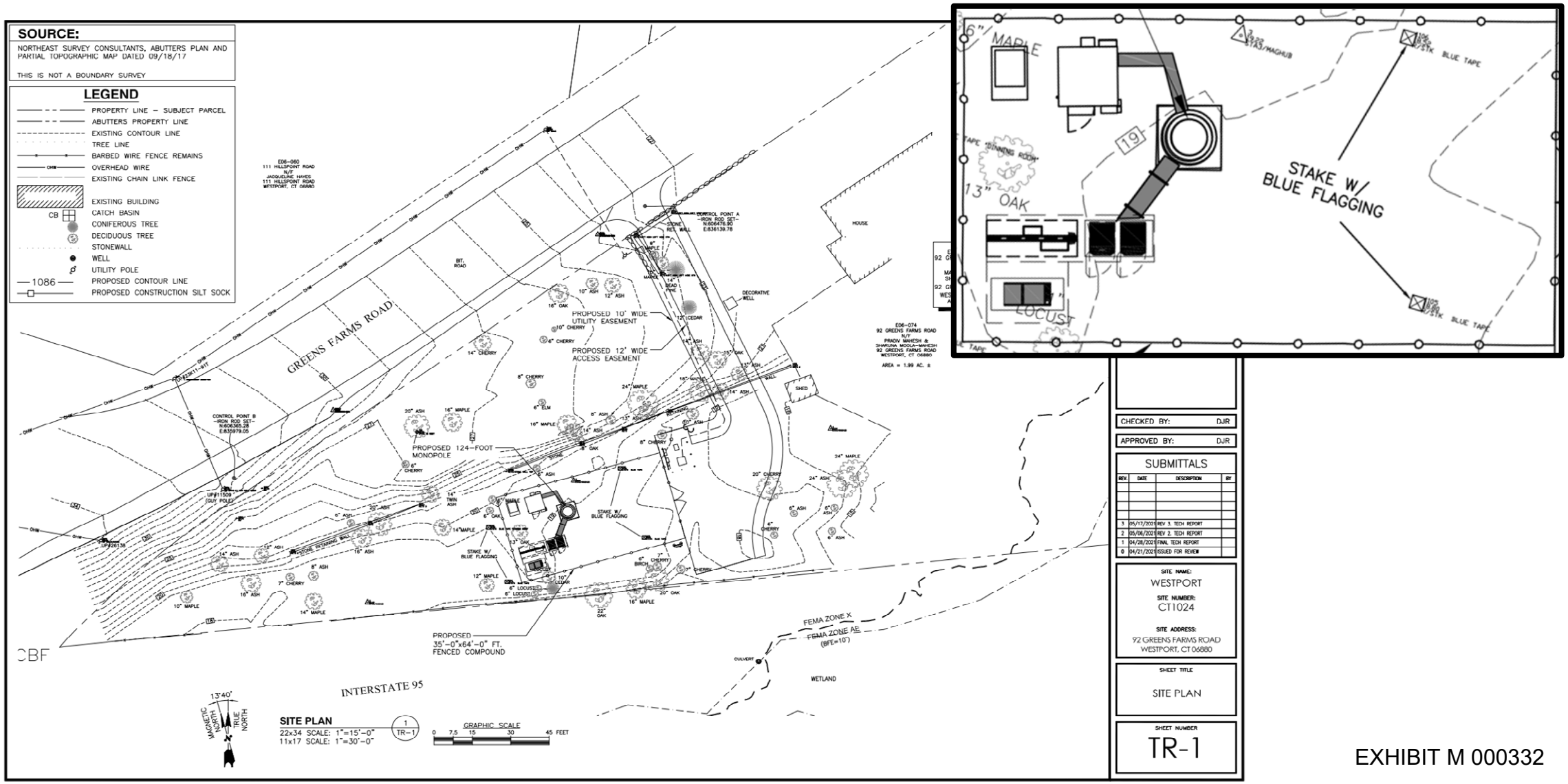
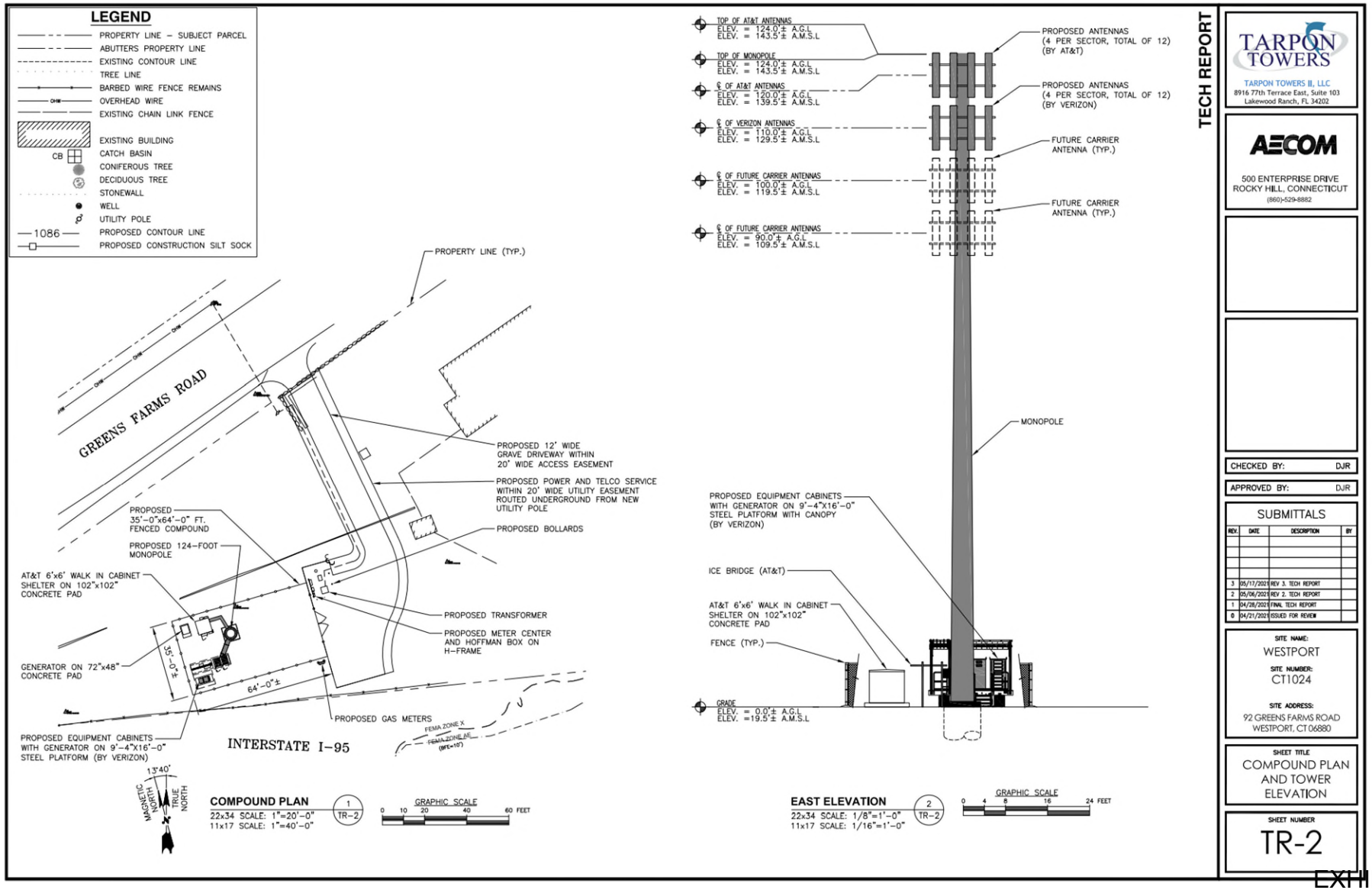
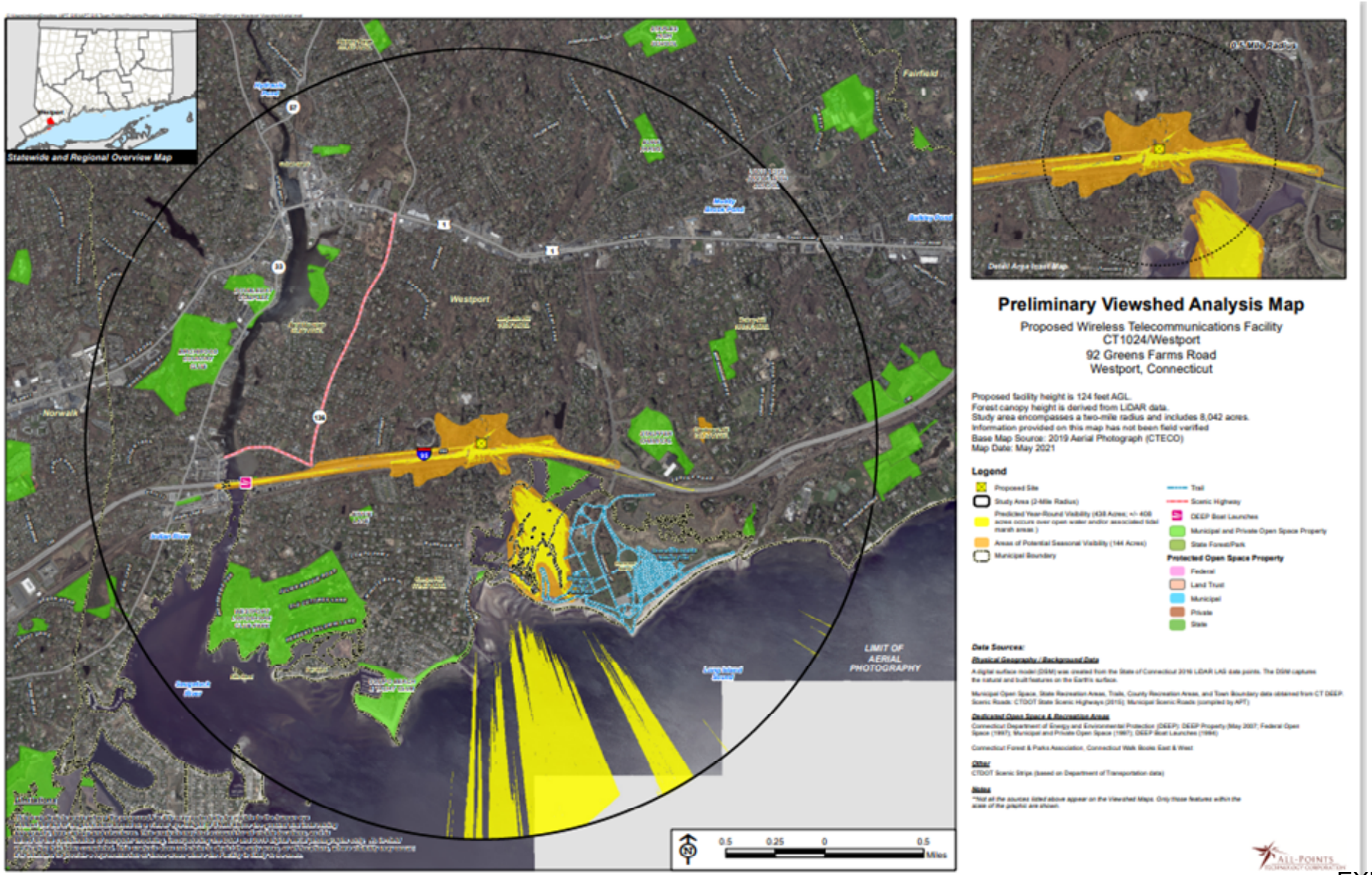


EXHIBIT M 000332

Elevation


LEGEND
PROPERTY LINE – SUBJECT PARCEL
ABUTTERS PROPERTY LINE
EXISTING CONTOUR LINE
TREE LINE
BARBED WIRE FENCE REMAINS
OVERHEAD WIRE
EXISTING CHAIN LINK FENCE
EXISTING BUILDING
CB CATCH BASIN
CONIFEROUS TREE
DECIDUOUS TREE
STONEWALL
WELL
UTILITY POLE
1086 PROPOSED CONTOUR LINE
PROPOSED CONSTRUCTION SILT SOCK
GREENS FARMS ROAD
PROPERTY LINE (TYP.)
PROPOSED 12' WIDE GRAVE DRIVEWAY WITHIN 20' WIDE ACCESS EASEMENT
PROPOSED POWER AND TELCO SERVICE WITHIN 20' WIDE UTILITY EASEMENT ROUTED UNDERGROUND FROM NEW UTILITY POLE
PROPOSED BOLLARDS
PROPOSED 35'-0"x64'-0" FT. FENCED COMPOUND
PROPOSED 124-FOOT MONOPOLE
AT&T 6'x6' WALK IN CABINET SHELTER ON 102"x102" CONCRETE PAD
PROPOSED TRANSFORMER
PROPOSED METER CENTER AND HOFFMAN BOX ON H-FRAME
GENERATOR ON 72"x48" CONCRETE PAD
35'-0"±
64'-0"±
PROPOSED GAS METERS
FEMA ZONE X
FEMA ZONE AE (BFE=10')
PROPOSED EQUIPMENT CABINETS WITH GENERATOR ON 9'-4"X16'-0" STEEL PLATFORM (BY VERIZON)
INTERSTATE I-95
13°40'
MAGNETIC NORTH
TRUE NORTH
COMPOUND PLAN
22x34 SCALE: 1"=20'-0"
11x17 SCALE: 1"=40'-0"
1 TR-2
GRAPHIC SCALE
0 10 20 40 60 FEET
TOP OF AT&T ANTENNAS ELEV. = 124.0'± A.G.L ELEV. = 143.5'± A.M.S.L
TOP OF MONOPOLE ELEV. = 124.0'± A.G.L ELEV. = 143.5'± A.M.S.L
℄ OF AT&T ANTENNAS ELEV. = 120.0'± A.G.L ELEV. = 139.5'± A.M.S.L
℄ OF VERIZON ANTENNAS ELEV. = 110.0'± A.G.L ELEV. = 129.5'± A.M.S.L
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℄ OF FUTURE CARRIER ANTENNAS ELEV. = 90.0'± A.G.L ELEV. = 109.5'± A.M.S.L
PROPOSED ANTENNAS (4 PER SECTOR, TOTAL OF 12) (BY AT&T)
PROPOSED ANTENNAS (4 PER SECTOR, TOTAL OF 12) (BY VERIZON)
FUTURE CARRIER ANTENNA (TYP.)
FUTURE CARRIER ANTENNA (TYP.)
MONOPOLE
PROPOSED EQUIPMENT CABINETS WITH GENERATOR ON 9'-4"X16'-0" STEEL PLATFORM WITH CANOPY (BY VERIZON)
ICE BRIDGE (AT&T)
AT&T 6'x6' WALK IN CABINET SHELTER ON 102"x102" CONCRETE PAD
FENCE (TYP.)
GRADE ELEV. = 0.0'± A.G.L ELEV. =19.5'± A.M.S.L
EAST ELEVATION
22x34 SCALE: 1/8"=1'-0"
11x17 SCALE: 1/16"=1'-0"
2 TR-2
GRAPHIC SCALE
0 4 8 16 24 FEET
TECH REPORT
TARPON TOWERS
TARPON TOWERS II, LLC
8916 77th Terrace East, Suite 103
Lakewood Ranch, FL 34202
AECOM
500 ENTERPRISE DRIVE
ROCKY HILL, CONNECTICUT
(860)-529-8882
CHECKED BY: DJR
APPROVED BY: DJR
SUBMITTALS
REV. DATE DESCRIPTION BY
3 05/17/2021 REV 3. TECH REPORT
2 05/06/2021 REV 2. TECH REPORT
1 04/28/2021 FINAL TECH REPORT
0 04/21/2021 ISSUED FOR REVIEW
SITE NAME: WESTPORT
SITE NUMBER: CT1024
SITE ADDRESS: 92 GREENS FARMS ROAD WESTPORT, CT 06880
SHEET TITLE COMPOUND PLAN AND TOWER ELEVATION
SHEET NUMBER TR-2

Viewshed Analysis Map



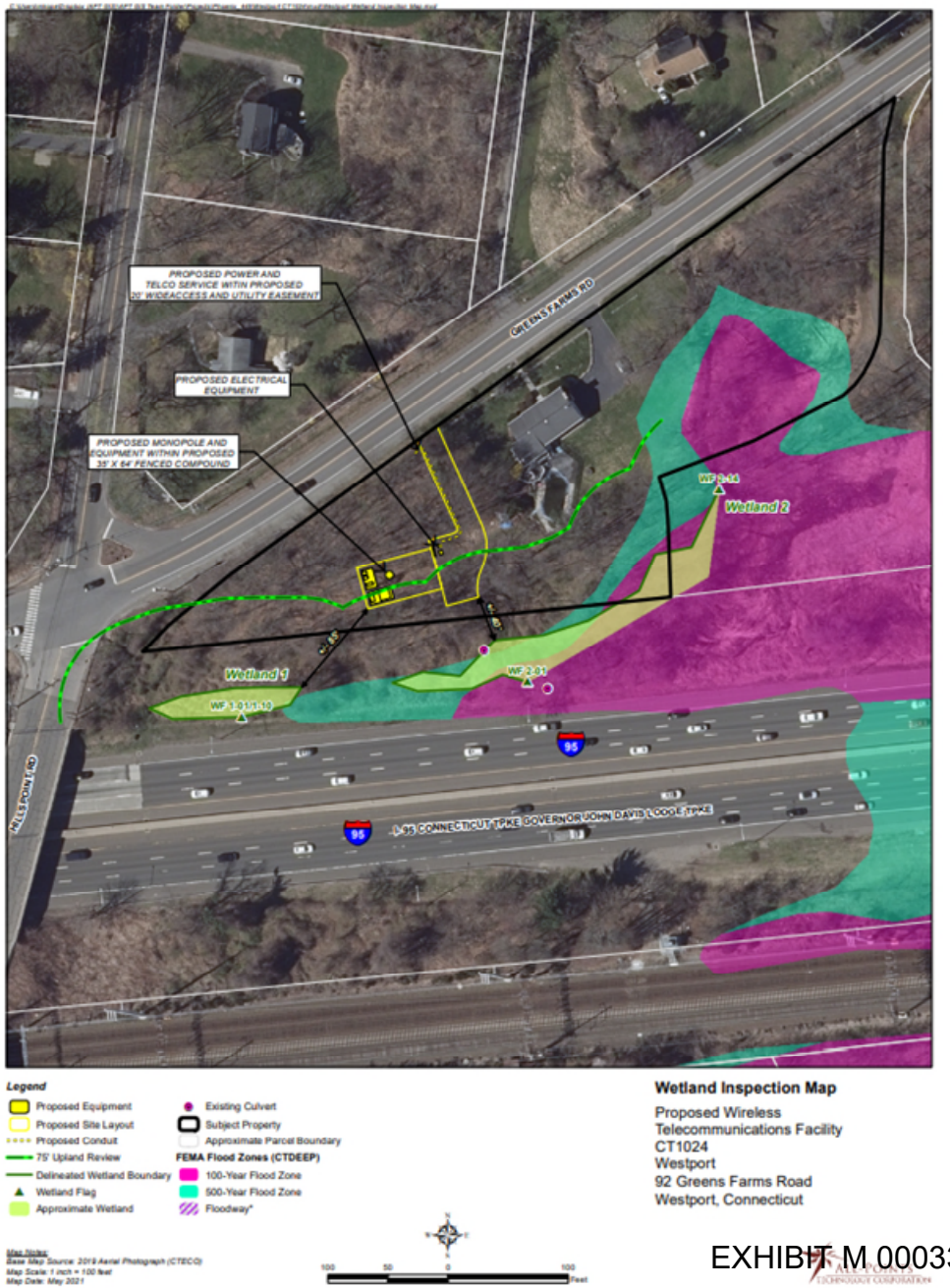
Wetlands Map and Summary

GENERAL COMMENTS:

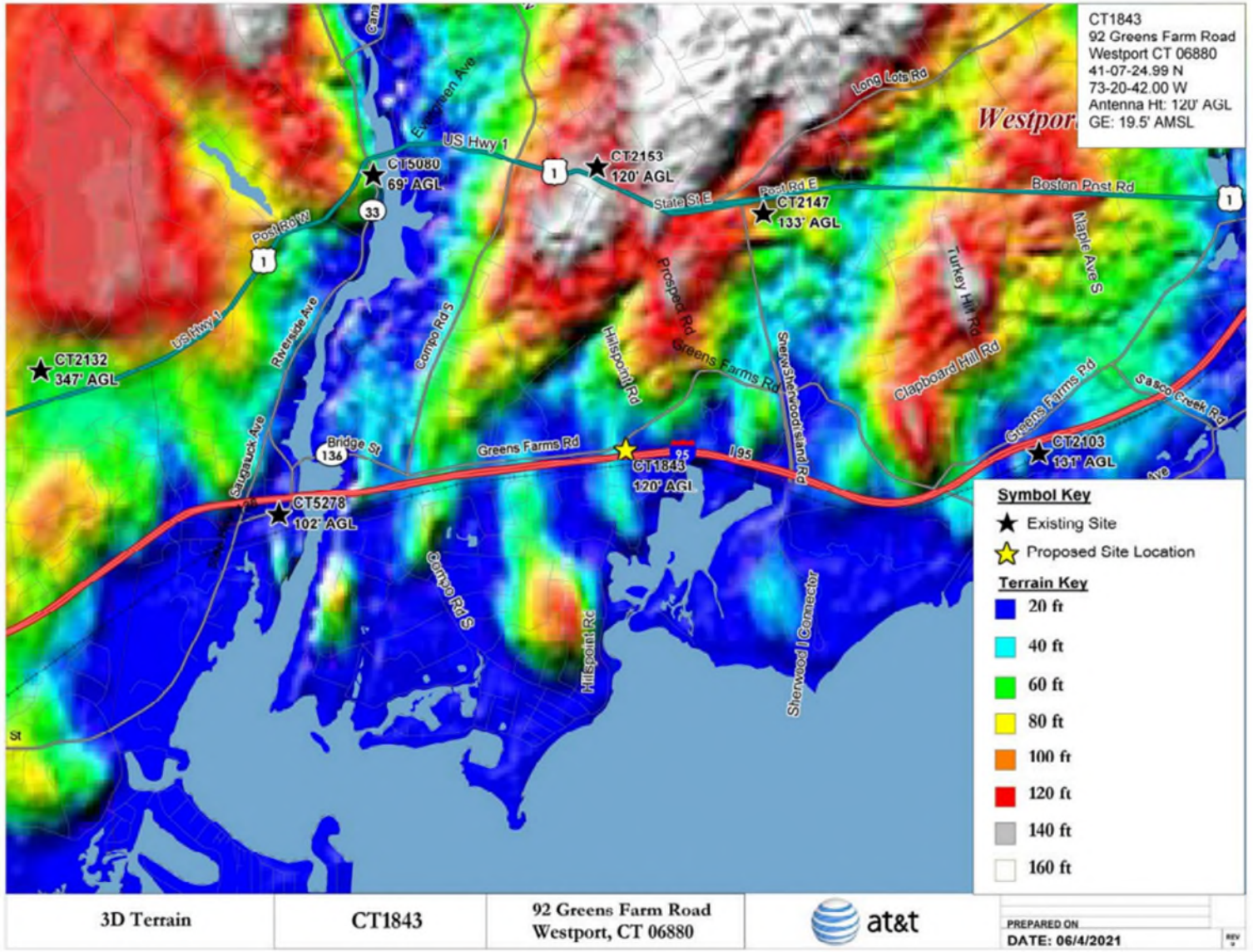
The Subject Property consists of an approximately 1.86-acre parcel developed as a residency adjacent to Interstate 95. The area proposed for the wireless telecommunications facility is located in a mature upland forested area in the western portion of the Subject Property. Access to the Facility would travel through mature upland forest south of Greens Farms Road for approximately 150 feet and would consist of an approximately 12-foot-wide gravel access. The project area in general is dominated by moderately aged second growth upland and wetland forested areas heavily influenced by anthropogenic factors including Interstate 95 and the old, abandoned route for Greens Farms Road. The surrounding land-use consists primarily of residential development.

Two wetland areas were identified and delineated proximate to the project area consisting of an isolated depressional wetland system (Wetland 1) and an intermittent stream system with narrow bordering forested wetlands (Wetland 2).

Wetland 2 consists of a channelized intermittent watercourse with narrow bordering forested wetland areas that are seasonally saturated and occasionally flooded. The regulatory boundary of the intermittent stream system generally starts at a 72-inch reinforced concrete pipe culvert with the watercourse flowing to the east, parallel to Interstate 95. This wetland system exhibits high levels of human disturbance, both historically from the proximate construction of Interstate 95, as well as on-going disturbances associated with the transportation corridor (as evident by road sand deposition and bank erosion due to flashy hydrology from the highway's stormwater runoff).



Area Terrain Map



AT&T Neighbor Sites and Distance

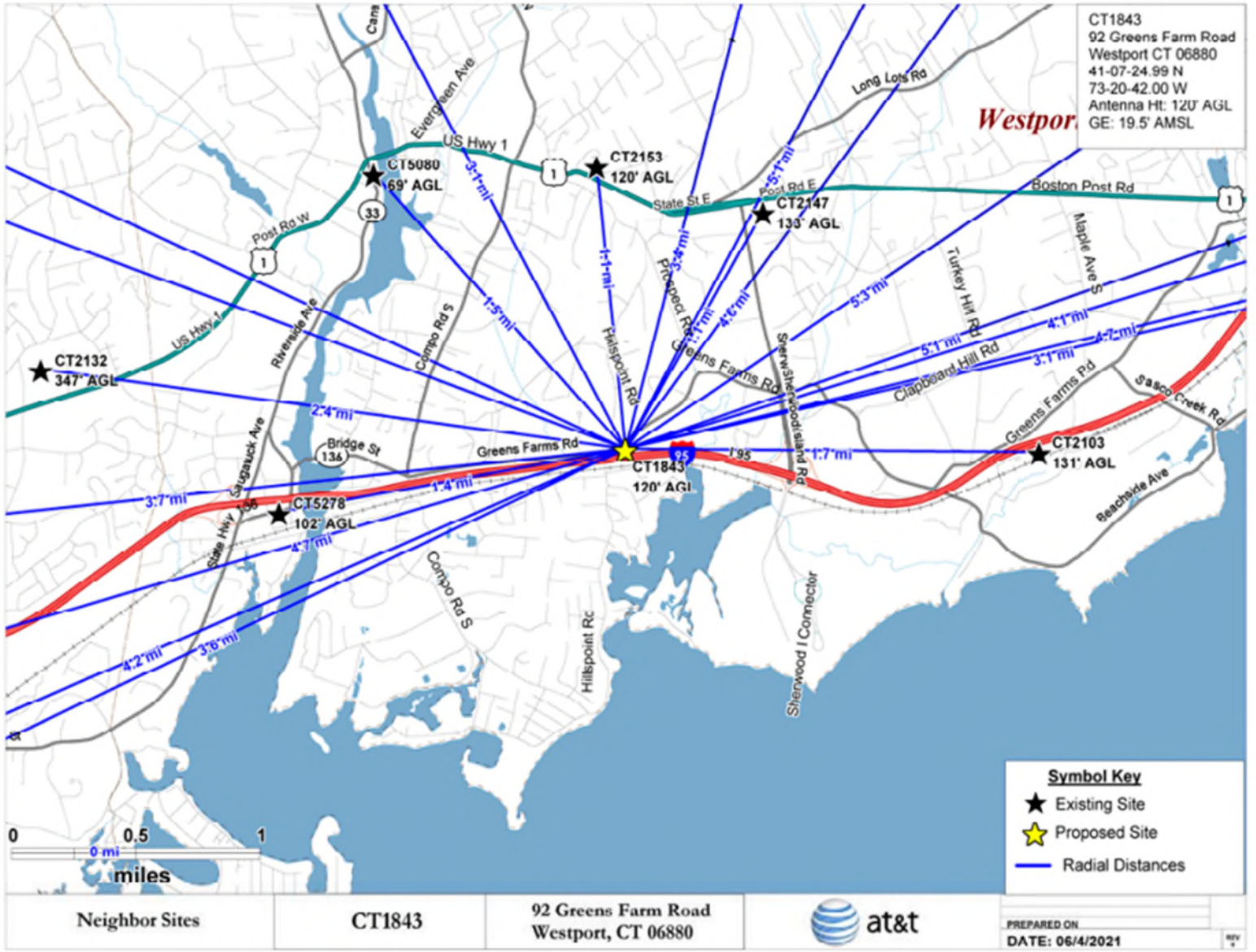
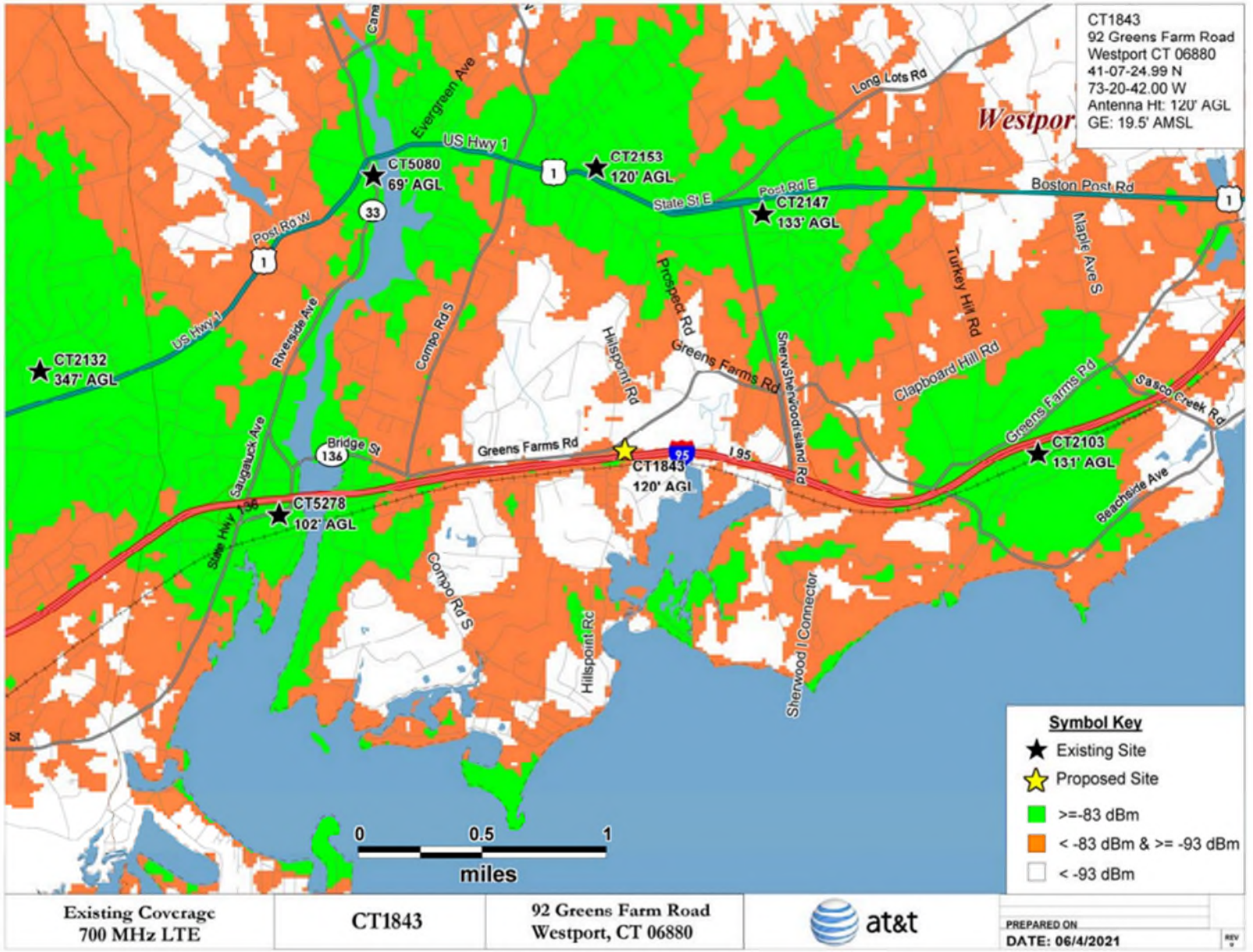


EXHIBIT M 000337

AT&T Existing 700Mhz LTE Coverage



AT&T Proposed 700Mhz LTE Coverage

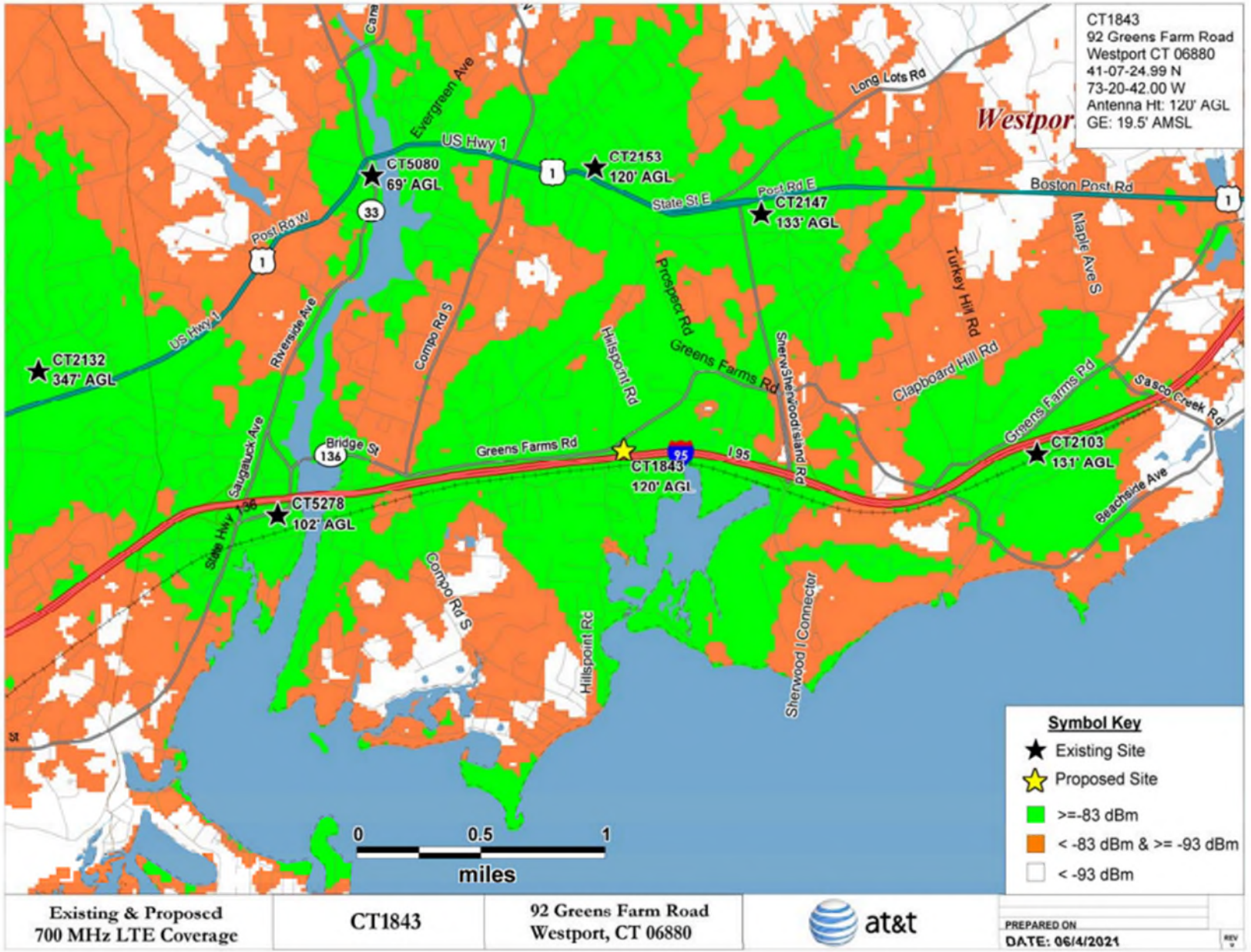


EXHIBIT M 000339

Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 2/9/2022 12:09:53 PM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Pires, Philip C. (ppires@cohenandwolf.com) [ppires@cohenandwolf.com]
Subject: Cemetery site

Ira,

As discussed, we are continuing to evaluate the feasibility of a tower on the cemetery property. The potential location is depicted in the image below. Please let us know whether the Town has any input on this potential site.

As you know, we are exploring every option, including all locations that the Town would like us to evaluate. I'll again ask you to e-mail me with any other potential sites.



David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 2/9/2022 12:21:23 PM
To: Ira Bloom Esq. (ibloom@bmdlaw.com) [ibloom@bmdlaw.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: David A. A. Ball (DBall@cohenandwolf.com) [DBall@cohenandwolf.com]
Subject: Affidavit of Publication for Public Information Meeting

Ira and Nick,

We contacted the Westport News to get the affidavit of publication for the notice that ran on January 21, 2022 for last night's meeting. The affidavit should be part of the record to the CSC. Because the order was placed by the Town, the Town must request the affidavit. Can you please have the Town request the affidavit and provide it to us? We will pay for the cost of the affidavit.

Thanks,
Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 2/9/2022 12:25:27 PM
To: Pires, Philip C. [ppires@cohenandwolf.com]
CC: Ball, David A. [dball@cohenandwolf.com]; Ira Bloom [ibloom@bmdlaw.com]
Subject: Re: Affidavit of Publication for Public Information Meeting
Attachments: B000500001M (37).PDF; 2681915 revised[16].PNG

Phil – yes we can do that. But before we do would the attached suffice?

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Date: Wednesday, February 9, 2022 at 12:21 PM
To: Ira Bloom <ibloom@bmdlaw.com>, Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Ball, David A. <DBall@cohenandwolf.com>
Subject: Affidavit of Publication for Public Information Meeting

Ira and Nick,

We contacted the Westport News to get the affidavit of publication for the notice that ran on January 21, 2022 for last night's meeting. The affidavit should be part of the record to the CSC. Because the order was placed by the Town, the Town must request the affidavit. Can you please have the Town request the affidavit and provide it to us? We will pay for the cost of the affidavit.

Thanks,
Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
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received this message in error, please notify us immediately by e-mail, or by telephone (203-368-0211), discard any paper copies, and delete all electronic files of the message.

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LEGAL NOTICES

Board of Selectwomen Meeting
January 26, 2022
Notice & Agenda

Notice is hereby given that the Westport Board of Selectwomen, Traffic Authority, and Water Pollution Control Authority will hold a public meeting on Wednesday, January 22, 2022, at 9:00 AM in the Westport Town Hall Auditorium, 110 Myrtle Avenue, Westport, Connecticut. It will be livestreamed on www.westportct.gov and broadcast on Westport's Optimum Government Access Channel 79 and Frontier Channel 6020. Comments from the public regarding agenda items may be sent to selectwoman@westportct.gov prior to the meeting. Agenda to include but not be limited to the following items (subject to revision):

1. To approve the minutes of the Board of Selectwomen's meeting of January 12, 2022.

2. To approve the use of certain Town roads for the weekly Road Runners Series and to request permission from the Connecticut Traffic Authority for the use of certain state roadways for August 6, August 13 and September 3, 2022.

3. To approve the use of certain Town roads for the Annual Memorial Day Parade to be held Monday, May 30, 2022, and to request permission from the Connecticut Traffic Authority for the use of certain state roads for the event.

4. To approve the acceptance of monetary donations under $5,001 accepted by the First Selectman/First Selectwoman during the calendar year 2021.

5. Acting in its capacity as the Water Pollution Control Authority, to schedule a date to consider proposed assessments and to determine final assessments to be levied for the construction or acquisition of sewerage system(s) approved during 2021.

Jennifer S. Tooker, First Selectwoman

This is a meeting of the Westport Board of Selectmen as defined by Town Charter and State Statute. It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or eflug@westportct.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

TOWN OF WESTPORT, CONNECTICUT

NOTICE TO BIDDERS

BID NUMBER: 22-039T

Sealed bids for: **BURYING HILL BEACH – TIMBER GROIN REPLACEMENT**

will be received by the Town of Westport until
11:00 A.M., Thursday, February 10, 2022

at

Westport Town Hall
Controller's Office, Room 313
110 Myrtle Avenue
Westport, CT 06880

No bids will be received after said hour. Copies of the bid documents may be obtained by downloading the information from the Town's website:

www.westportct.gov/bids

Bidders should visit the site on their own to familiarize themselves with existing conditions.

Questions in regard to the bid shall be submitted in writing to rkotchko@westportct.gov by Friday February 4, 2022.

Responses will be opened as to the COVID protocols that are in place at such time. A ZOOM bid opening may be required and respondents can attend by emailing rkotchko@westportct.gov for the link.

The Town of Westport reserves the right to waive any defects and informalities in the bidding or in any bid, to reject any or all bids for any reason whatsoever, and to accept that bid deemed to be in the best interest of the Town of Westport.

Gary Conrad, Finance Director

TOWN OF WESTPORT, CONNECTICUT

REQUEST FOR PROPOSAL

RFP 22-038T

CONSULTING SERVICES FOR HISTORIC DISTRICT COMMISSION

Sealed proposals for RFP 22-038T Consulting Services for Historic District Commission will be received by the Town of Westport until:

11:00 AM, Thursday, February 10, 2022

At

Westport Town Hall
Finance Department Room 313
110 Myrtle Ave
Westport, CT

No proposals will be received after said hour. Copies of the documents for this RFP may be obtained from the Town's website: www.westportct.gov/bids

Responses will be opened as to the COVID protocols that are in place at such time. A ZOOM bid opening may be required and respondents can attend by emailing rkotchko@westportct.gov for the link.

The Town of Westport reserves the right to waive any defects and informalities in the bidding or in any bid, to reject any or all bids for any reason whatsoever, and to accept that bid deemed to be in the best interest of the Town of Westport.

Richard Kotchko
Purchasing Officer

LEGAL NOTICE OF PUBLIC INFORMATION MEETING REGARDING PROPOSED CELL TOWER PURSUANT TO C.G.S. § 16-50l

Notice is hereby given that the Town of Westport and Tarpon Towers II, LLC ("Tarpon") will hold a remote Public Information Meeting on **Tuesday, February 8, 2022** , at 7:00 P.M. where Tarpon representatives will present details on its anticipated application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council for the construction, maintenance and operation of a telecommunications facility located at **92 Greens Farms Road** , or alternatively, **55 Greens Farms Road** , in Westport. The anticipated cell tower application by Tarpon is intended to provide Cellco Partnership, d/b/a Verizon Wireless ("Verizon") and New Cingular Wireless PCS, LLC ("AT&T"), and potentially other telecommunications providers, with opportunities to enhance wireless coverage in the area.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:
Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically. Any meeting materials will be posted at www.westportct.gov , on the Planning and Zoning Department web page under "Anticipated Cell Tower Application by Tarpon Towers". Instructions to attend the ZOOM meeting follow below and will also be posted on the Planning and Zoning Department web page:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Dated at Westport, Connecticut on this 19th day of January 2022, Jeffrey Dunkerton, Town Clerk.

LEGAL NOTICE OF HEARING
Notice is hereby given that the Westport Planning and Zoning Commission will hold a remote Public Hearing on **Thursday, January 27, 2022** , at 6:00 P.M.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:
Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically and live streamed on www.westportct.gov , Meeting materials are available at www.westportct.gov , on the Planning and Zoning Department web page under "P&Z Pending Applications & Recent Approvals". Instructions to attend the ZOOM meeting will be posted on the agenda for this meeting on the Meeting List and Calendar page at www.westportct.gov , The meeting agenda will also include items that do not require a legal notice that can be viewed on www.westportct.gov.

1. Text Amendment #808: Appl. #PZ-21-00927 submitted by Richard Redniss, Redniss and Mead, to expand the "Unified Shopping Center" (USC) definition in §5-2 to include additional non-residential uses to qualify a property as a USC such as Office, Restaurant, Healthcare Professional or Medical, and to modify §33-8 Permanent Signs Permitted in Other Non-Residence Districts (§23 RBD, §24 GBD, §24A GBD/S, §25 HSD, §26 DDD, §28 BPD, §29 BCD, §29A BCD/H) to enable two (2) free-standing signs on a lot that has at least 1,000-feet of street frontage. A copy of the proposed text amendment is available on-line at www.westportct.gov is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.

2. 1680 Post Road East: Site Plan Appl. #PZ-22-00016 submitted by Attorney Eric Bernheim of FLB Law, for property owned by 1480 Post Road East, LLC for a Change of Use from Retail to Restaurant, re-striping of the parking lot, and new landscaping, for property located in the General Business District, PID #H09173000.

Dated at Westport, Connecticut on this 14th day of January and 21st day of January 2022, Danielle Dobin, Chairman, P&Z Commission.

LEGAL NOTICE OF HEARING

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING: Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This Meeting will be held electronically and live streamed on www.westport.com Meeting materials are available at www.westport.com on the Planning and Zoning web page under "ZBA Pending Applications &Recent Approvals". Instructions to attend the ZOOM meeting will be posted on the agenda for this meeting on the Meeting List and Calendar page at www.westport.com

The **Zoning Board of Appeals** of Westport will hold a remote meeting on Tuesday, January 25, 2022, at 6:00 P.M. to review the following items:

1. 27 Edgewater Hillside: Application #ZBA-21-00889 by William Achilles, Achilles Architects, for property owned by Mark A. & Deborah C. Ritter for variance of the Zoning Regulation: §13-6 (Building and Total Coverage) to authorize unpermitted exterior deck over Building and Total Coverage, located in Residence A district, PID#E05083000.

2. 20 Mills Street: Application #ZBA-21-00912 by Angela M. Gontijo for property owned Angela M. Gontijo for variance of the Zoning Regulation: §6-2.1.6 (New Construction), §6-2.1.7 (Expansion of a Non-Conforming Building in Setbacks), §13-4 (Setbacks), §13-5 (Height) and §13-6 (Building and Total Coverage) to expand the front covered porch partially within the front setbacks; to construct an attached garage partially within the front setback and to expand the footprint in rear of the house, to construct a two story addition over the new first floor for a total of three stories, all over the allowable number of stories and over the allowable Building and Total Coverage, located in Residence A district, PID# G09108000.

Dated at Westport, Connecticut on this 14th day of January and 21st day of January, Jim Ezzes, Chairman, Zoning Board of Appeals.

Notice of Intent to Demolish

An application for a permit to demolish the structure known as 174 Hillspoint Road, Westport, CT owned by David and Gwen Baker, has been filed in the Office of the Town Building Official on January 12, 2022. The structure was built in 1968 and is 1,052 SF. The application is currently pending and available for public inspection.

LEGAL NOTICE

PARTY-ENDORSED CANDIDATES FOR TOWN COMMITTEE FROM POLITICAL SUBDIVISION

A certified list of Republican party-endorsed candidates for the Town of Westport for election as Members of the Town Committee from Political Subdivisions Districts 1 through 9 is on file in my office at Town Hall, 110 Myrtle Ave, Westport, Connecticut, and copies are available for public distribution. The number of Town Committee members to be elected, under party rules, and the number of names of candidates included in the certificate from each political subdivision specified, is as follows:

NUMBER TO BE ELECTED	NUMBER CERTIFIED	POLITICAL SUBDIVISION
5	3	1
4	4	2
4	4	3
4	3	4
5	4	5
5	3	6
5	4	7
4	4	8
4	4	9
40	33	

A primary will be held March 1, 2022, in each of the above political subdivisions in which candidacies numbering at least 25% of the number of Town Committee members to be elected by such party in such political subdivision are filed in accordance with §§ 9-382 to 9-450, inclusive, of the General Statutes by persons other than party-endorsed candidates not later than 4:00 p.m. of January 26, 2022, provided the number of such candidacies, plus the number of endorsed candidates for such political subdivision, exceeds the number of town committee members to be elected. (If the number of opposing candidacies filed is reduced to less than such 25% in any subdivision, no primary will be held.) Petition forms, instructions, and information concerning the procedure for filing opposing candidacies, may be obtained from, Maria Signore, Republican Registrar of Voters, Town Hall, 110 Myrtle Avenue-Room 107, Westport, Connecticut.

Jeffrey M. Dunkerton, Municipal Clerk of Westport

LEGAL NOTICE

PARTY-ENDORSED CANDIDATES FOR TOWN COMMITTEE FROM POLITICAL SUBDIVISION

A certified list of Democratic party-endorsed candidates for the Town of Westport for election as Members of the Town Committee from Political Subdivisions Districts 1 through 9 is on file in my office at Town Hall, 110 Myrtle Ave, Westport, Connecticut, and copies are available for public distribution. The number of Town Committee members to be elected, under party rules, and the number of names of candidates included in the certificate from each political subdivision specified, is as follows:

NUMBER TO BE ELECTED	NUMBER CERTIFIED	POLITICAL SUBDIVISION
8	8	1
8	8	2
8	5	3
7	6	4
7	5	5
8	6	6
8	8	7
8	8	8
8	8	9
70	62	

A primary will be held March 1, 2022, in each of the above political subdivisions in which candidacies numbering at least 25% of the number of Town Committee members to be elected by such party in such political subdivision are filed in accordance with §§ 9-382 to 9-450, inclusive, of the General Statutes by persons other than party- endorsed candidates not later than 4:00 p.m. of January 26, 2022, provided the number of such candidacies, plus the number of endorsed candidates for such political subdivision, exceeds the number of town committee members to be elected. (If the number of opposing candidacies filed is reduced to less than such 25% in any subdivision, no primary will be held.) Petition forms, instructions, and information concerning the procedure for filing opposing candidacies, may be obtained from Deborah Greenberg, Democratic Registrar of Voters, Town Hall, 110 Myrtle Avenue-Room 107, Westport, Connecticut.

Jeffrey M Dunkerton, Municipal Clerk of Westport

LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on January 13, 2022, the Westport Planning and Zoning Commission took the following action:

1. **ADOPTED AS MODIFIED: Text Amendment #804**: Appl. #PZ-21-000770 Submitted by Rick Redniss to modify §5-2 Definitions by adding a definition for "Parking Management Plan"; to modify §24-6.1 Coverage Exemptions in the General Business District (GBD) to provide Building Coverage relief for canopies up to 500 SF in size in the GBD; to add new section §28-6.1 Coverage Exemptions in the Business Preservation District (BPD) to provide Building Coverage and setback relief for canopies up to 500 SF in size in the BPD; to renumber §34-4 Reduction of Parking Requirements by Special Permit, and add new §34-4.2 to authorize use of a Parking Management Plan by Special Permit for existing office buildings that are at least 25,000 SF in size, have a minimum of 100 parking spaces on site, and are wholly located in the GBD along the Post Road. The proposed modification to the "Coverage, Total" definition is not adopted. The use of car stackers as an operational strategy within the proposed §5-2 definition for Parking Management Plan is not adopted. A copy of the adopted text amendment is available on-line at www.westportct.gov is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office
Effective Date: 1/28/22

Dated at Westport, Connecticut this 21st day of January 2022 Danielle Dobin, Chairman, Planning and Zoning Commission

LEGAL NOTICE OF INTENT TO DEMOLISH

In accordance with article II, Section 57-4(a)(b) of the code of ordinances,Town of Westport, notice is hereby that a demolition permit application for the building or structure at: 17 Old Orchard road has been filed in the office of the Town Building official on 1/19/22.

Name and address of the owner: Neil & Jean Coleman,118 Harvest Commons. Westport, Ct. 06880.
Age of the building or structure: 1948, year built.
Square footage of the building or structure: 3,600.

The application is currently pending and available for public inspection in the office of the Town building official.
Contractor: AA Building Wrecking, LLC. 50 Carthage Street, Fairfield, Ct. 06825.

LEGAL NOTICES

RTM Meeting
February 1, 2022

REPRESENTATIVE TOWN MEETING NOTICE

All Representative Town Meeting members and inhabitants of the Town of Westport are hereby notified that a meeting of the Representative Town Meeting members will be held on February 1, 2022, at 7:30 p.m. for the purposes listed below. There is no physical location for this meeting. It will be held electronically. If necessary, the meeting shall reconvene on Tuesday February 15, 2022, to deal with any agenda items not disposed of at the adjournment of the February 1, 2022 meeting.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 163-167 of Senate Bill 1202, there will not be a physical location for this meeting. This meeting will be held electronically and live streamed on westportct.gov and shown on Optimum Government Access Channel 79 and Frontier Channel 6020. Meeting materials will be available at westportct.gov along with the meeting notice posted on the Meeting List & Calendar page.

INSTRUCTIONS TO ATTEND ZOOM MEETING:
Join Zoom Meeting https://us02web.zoom.us/j/82135518823?pwd=VCtyUWVWTjhlU2tKeHVGZjNFdWRldz09
Phone number: +1 646 876 9923 US (New York)
Meeting ID: 821 3551 8823
Passcode: 426318

PUBLIC COMMENTS:
Members of the Westport electorate attending the meeting by telephone or video may comment on any agenda item. Comments will be limited to 3 minutes.
Emails may be sent to RTMmailinglist@westportct.gov, which goes to all RTM members. These emails will not be read aloud during the meeting.

1. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Westport Arts Advisory Committee, to approve an appropriation in the amount of $200,643.00 for 12 Non-Profit Arts Organizations from the ARPA CLFRF Grant Income account.

2. To take such action as the meeting may determine, upon a request by the Director of Public Works, and subject to an approval by the Board of Finance, to approve an appropriation in the amount of $1,300,000.00 for Construction and Construction Inspection Services for Replacement of the Burying Hill Beach Groin from the ARPA CLFRF Grant Income account.

Jeffrey Wieser, Moderator

It is the policy of the Town of Westport that all Town-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in a meeting or event due to a disability as defined under the Americans with Disabilities Act, please contact Westport's ADA Coordinator at 203-341-1043 or eflug@westportct.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

LEGAL NOTICES

TAX COLLECTOR ANNOUNCES SECOND QUARTER TAXES DUE: JANUARY 1, 2022

Tax bills may be researched, printed and/or paid on-line at www.westportct.gov

Westport Tax Collector Christine Alison reminded residents today that third quarter real estate taxes, personal property taxes, supplemental motor vehicle and sanitary sewer use, and assessment charges are due January 1, 2022. Taxpayers have until February 1, 2022, to pay taxes without penalty. Accounts will be subject to an 18 percent (1.5 percent/month) penalty charge if paid late. Minimum interest charge is $2.00.

Failure to receive a bill does not abate the charges or interest.

Real estate taxes, personal property taxes, supplemental motor vehicle and sanitary use and assessment bills may be paid by credit card, debit card, or direct withdrawal from a checking account on-line at www.westportct.gov.

Checks should be made payable to "Town of Westport" and mailed to:

Tax Collector – Westport
P.O. Box 350
Westport, CT 06881

In-person payments may be made at the Tax Collector's Office, Room 109 in Town Hall (110 Myrtle Avenue). Office hours are 8:30 AM to 4:30 PM daily Monday thru Friday.

GREAT RATES
GREAT RESULTS

Call Classified at
203-333-4151

LEGAL NOTICE OF INTENT TO DEMOLISH

In accordance with Article II, Section 14-24 (a) (2) of the Code of Ordinances, Town of Westport, notice is hereby given that a demolition permit application for the building or structure at 6 James, Westport, CT has been filed in the Office of the Town Building Official on December 7, 2021.

Name and address of the contract vendee: SIR-16 Dexter, LLC, 943 Post Road East, Westport, CT
Age of the building or structure: 61 years
Square footage of the building or structure: 1,936 square feet

The application is currently pending and available for public inspection in the Office of the Town Building Official.

LIQUOR PERMITS

LIQUOR PERMIT

Notice of Application

This is to give notice that I,

DONG HE ZHAO
45 WILTON CRST
WILTON, CT 06897-4053

Have filed an application placarded 01/11/2022 with the Department of Consumer Protection
for a RESTAURANT LIQUOR PERMIT for the sale of
alcoholic liquor on the premises at
1330 POST RD EAST
WESTPORT CT 06880

The business will be owned by:
NEW CENTURY 21 LLC

Entertainment will consist of: No Live Entertainment

Objections must be filed by: 02-22-2022

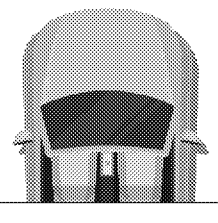
DONG HE ZHAO

FIND YOUR NEXT BEST FRIEND HERE!



Speed up your auto search

inGear
ingearct.com



YOU CAN EMAIL YOUR CLASSIFIED AD TO:
classifieds@hearstmediact.com
Monday-Friday,
8:30 a.m. to 4:30 p.m.

PROBATE NOTICES

NOTICE TO CREDITORS

ESTATE OF JAMES C. O'DONOGHUE, late of Westport, in said District, deceased (21-0399)

The Hon. Lisa K. Wexler, Judge of the Court of Probate, District of Westport Probate Court, by decree dated January 10, 2022, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Karen M. Uccellini, Assistant Clerk

The fiduciary is:

Sharon M. Tomlinson, Executrix c/o ALEXIS LEAH GETTIER, DAY PITNEY LLP, ONE STAMFORD PLAZA, 263 TRESSER BOULEVARD, STAMFORD, CT 06901

PROBATE NOTICES

NOTICE TO CREDITORS

ESTATE OF DORIS D. GOLTZER, late of Westport, in said District, deceased (21-0411)

The Hon. Lisa K. Wexler, Judge of the Court of Probate, District of Westport Probate Court, by decree dated January 12, 2022, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Karen M. Uccellini, Assistant Clerk

The fiduciary is:

C. George Robert Goltzer, Executor c/o RICHARD S LAND, CHIPMAN MAZZUCCO EMERSON LLC, 44 OLD RIDGEBURY ROAD, SUITE 320, DANBURY, CT 06810

NOTICE TO CREDITORS

ESTATE OF DIANE L. REED, late of Westport, in said District, deceased (21-0408)

The Hon. Lisa K. Wexler, Judge of the Court of Probate, District of Westport Probate Court, by decree dated January 12, 2022, ordered that all claims must be presented to the fiduciary at the address below. Failure to promptly present any such claim may result in the loss of rights to recover on such claim.

Karen M. Uccellini, Assistant Clerk

The fiduciary is:

Raymond M. Prezkop,
Administrator
2 Palmieri Road,
Westport, CT 06880-4157

HEARST | CONNECTICUT MEDIA GROUP

CONNECTICUT POST | THE NEWS-TIMES | THE ADVOCATE | The Hour | GREENWICH TIME

Darien News | Fairfield Citizen | New Canaan News | The Spectrum | Westport News | Wilton Villager

Order Confirmation

Ad Order Number
0002681915

Customer Account
182663

Sales Rep.
eswanson

Customer Information
WESTPORT PLANNING AND ZONING
110 MYRTLE AVENUE
WESTPORT CT 06880
USA

Order Taker
eswanson

Ordered By
STEPHANIE

Phone: 2033411030
Fax: 2034546145
EMail: smcnally@westportct.gov

Order Source
Phone

Ad Cost	Payment Amt	Amount Due
$76.88	$0.00	$76.88

Blind Box

Materials

Order Notes
20190070S P&Z

Ad Number	External Ad #	Pick Up Number
0002681915-01		0002680735

Ad Type	Ad Size	PO Number
BR Legal Liner	2 X 31 li	20190070S P&Z

Color Requests

Product and Zone	# Inserts	Placement
Westport News	1	BR Legal

Note: Retail Display Ads May Not End in Identified Placement

Run Dates
1/21/2022

Ad Content Proof
Note: Ad size does not reflect actual ad

LEGAL NOTICE OF PUBLIC INFORMATION MEETING REGARDING PROPOSED CELL TOWER PURSUANT TO C.G.S. § 16-50l

Notice is hereby given that the Town of Westport and Tarpon Towers II, LLC ("Tarpon") will hold a remote Public Information Meeting on **Tuesday, February 8, 2022** , at 7:00 P.M. where Tarpon representatives will present details on its anticipated application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council for the construction, maintenance and operation of a telecommunications facility located at **92 Greens Farms Road** , or alternatively, **55 Greens Farms Road** , in Westport. The anticipated cell tower application by Tarpon is intended to provide Cellco Partnership, d/b/a Verizon Wireless ("Verizon") and New Cingular Wireless PCS, LLC ("AT&T"), and potentially other telecommunications providers, with opportunities to enhance wireless coverage in the area.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically. Any meeting materials will be posted at www.westportct.gov" , on the Planning and Zoning Department web page under "Anticipated Cell Tower Application by Tarpon Towers". Instructions to attend the ZOOM meeting follow below and will also be posted on the Planning and Zoning Department web page:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnRVRlLWTdpc3RXTUsanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Dated at Westport, Connecticut on this 19th day of January 2022, Jeffrey Dunkerton, Town Clerk.

Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 2/9/2022 1:21:28 PM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ball, David A. [dball@cohenandwolf.com]; Ira Bloom [ibloom@bmdlaw.com]
Subject: RE: Affidavit of Publication for Public Information Meeting
Attachments: Sample Affidavit of Publication.pdf

Thanks Nick. No, those documents do not suffice. There is a separate affidavit that the paper needs to provide. Attached is an example.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

This message is being sent by a lawyer. It is intended for the exclusive use of the individual or entity that is the named addressee and may contain information that is privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee or an employee or agent responsible for delivering this message to the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify us immediately by e-mail, or by telephone (203-368-0211), discard any paper copies, and delete all electronic files of the message.

WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office that requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. Hackers are targeting e-mails of law firms and other businesses in attempts to initiate fraudulent wire or other transfer requests. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, BEFORE WIRING OR OTHERWISE TRANSFERRING FUNDS.

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, February 9, 2022 12:25 PM
To: Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Ball, David A. <DBall@cohenandwolf.com>; Ira Bloom <ibloom@bmdlaw.com>
Subject: Re: Affidavit of Publication for Public Information Meeting

Phil – yes we can do that. But before we do would the attached suffice?

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

CONFIDENTIALITY NOTICE: This email transmission (and/or the attachments accompanying it) may contain legally privileged and confidential information, and is intended only for the use of the individual or entity named above. If you

are not the intended recipient, you are hereby notified that any dissemination, disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please promptly notify the sender by reply email and destroy the original message.

From: Pires, Philip C. <PPires@cohenandwolf.com>
Date: Wednesday, February 9, 2022 at 12:21 PM
To: Ira Bloom <ibloom@bmdlaw.com>, Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Ball, David A. <DBall@cohenandwolf.com>
Subject: Affidavit of Publication for Public Information Meeting

Ira and Nick,

We contacted the Westport News to get the affidavit of publication for the notice that ran on January 21, 2022 for last night's meeting. The affidavit should be part of the record to the CSC. Because the order was placed by the Town, the Town must request the affidavit. Can you please have the Town request the affidavit and provide it to us? We will pay for the cost of the affidavit.

Thanks,
Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

This message is being sent by a lawyer. It is intended for the exclusive use of the individual or entity that is the named addressee and may contain information that is privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee or an employee or agent responsible for delivering this message to the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify us immediately by e-mail, or by telephone (203-368-0211), discard any paper copies, and delete all electronic files of the message.

WARNING: FRAUD ALERT. If you receive an e-mail appearing to be from this office that requests that you wire or otherwise transfer funds to any party, you must confirm the request and any corresponding instructions via telephone before you initiate any wire or other transfer. Hackers are targeting e-mails of law firms and other businesses in attempts to initiate fraudulent wire or other transfer requests. PLEASE CONFIRM BY CALLING THE ORIGINATOR OF THE EMAIL, USING PREVIOUSLY KNOWN CONTACT INFORMATION, BEFORE WIRING OR OTHERWISE TRANSFERRING FUNDS.

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

The Glastonbury Citizen/Rivereast News Bulletin
PO Box 373 • Glastonbury, CT 06033 • (860) 633-4691 • FAX (860) 657-3258
www.glcitizen.com • email: citizen@snet.net

AFFIDAVIT OF PUBLICATION

Before me, the undersigned authority, on this day personally appeared James Hallas, who being by me duly sworn, deposes and says that he is the Publisher of the Glastonbury Citizen (name of newspaper); that said newspaper is a newspaper of general circulation in Hartford County, Connecticut; and that the attached notice(s) was published in said newspaper on the following date(s): 5/27/2021 + 6/3/2021

Newspaper Representative's Signature

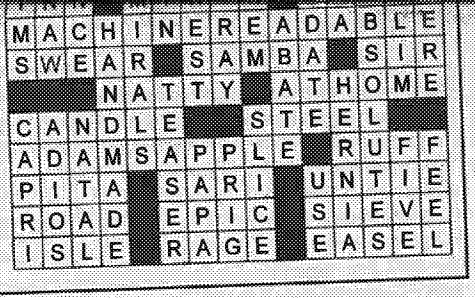
STATE OF CONNECTICUT, s.s.
County of Hartford
Subscribed and sworn (or affirmed) before me this 7 day of June 2021
by
Sandra H. Murray
SANDRA H. MURRAY, Notary Public
My Commission Expires July 31, 2022

67 Part of a ship

DOWN

1 Not match, as clothes
2 Powerball, for one
3 Cancel, as a mission

local
26 Clergyman
27 Squares
28 Pigeon's perch
30 Silo contents
31 Perform, as a poem
32 Flora's partner
33 Earliest stage



LEGAL NOTICE

Notice is hereby given, pursuant to Section 16-501(b) of the Connecticut General Statutes and Regulations pertaining thereto, of an Application to be submitted to the Connecticut Siting Council ("Council") on or about June 4, 2021, by Arx Wireless Infrastructure, LLC ("ARX" or the "Applicant"). The Application proposes the installation of a wireless telecommunications tower and related facility in the eastern portion of an approximately 11.24 acre parcel at Lot N-4, Sequin Drive, Glastonbury, Connecticut. ARX proposes to construct a 115-foot tall monopole (maximum height not to exceed 115' with antennas) within a 50' x 50' fenced (chain link) equipment compound within a 50 x 50' leased area. Access to and from the Site will be from Sequin Drive. The location and other features of the proposed facility are subject to change under provisions of Connecticut General Statutes § 16-50g et. seq. On the day of the Siting Council public hearing on this proposal, ARX may be asked to fly a balloon at the height of the proposed tower described above. ARX will hold a virtual site visit on the day of the public hearing. Interested parties and residents of the Town of Glastonbury are invited to review the Application during normal business hours at any of the following offices or electronically at www.ct.gov/csc:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Arx Wireless Infrastructure LLC
110 Washington Avenue
North Haven, CT 06473

Glastonbury Town Manager's Office
2155 Main Street, 2nd Floor
Glastonbury, CT 06033

Glastonbury Town Clerk
2155 Main Street, Lower Level
Glastonbury, CT 06033

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Arx Wireless Infrastructure, LLC
David A. Ball, Esq. and Philip C. Pires, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
(203) 368-0211
Its Attorneys

2TC 5/27, 6/3

EMPLOYMENT

CNA - Licensed, experienced CNA for part-time work in a private home. Some weekends. Send resume to P.O. Box 654, Glastonbury, CT 06033

FULL TIME OFFICE HELP NEEDED FOR BUSY, FAST PACED SMALL GLASTONBURY BUSINESS. Varied office duties. Experience preferred. Excellent pay and benefits. Call 860-706-4670

COME JOIN OUR AWESOME DENTAL TEAM! Modern, progressive, family, cosmetic, and prevention orientated 2 doctor practice, Open 6 days and 2 nights. Responsibilities include answering phones, making financial arrangements, scheduling appointments and helping us deliver topnotch customer service to our patients in a safe environment. Part time hours include two evenings per week and alternating Saturdays. Dentrix and dental experience preferred. If you are a compassionate and responsible individual who would like to join our super friendly family please apply to Indeed or mail your resume to P.O. Box 193, Colchester, CT 06415 or email to Thecdg@sbcglobal.net.

FULLER PAVING IS LOOKING TO FILL THE FOLLOWING POSITIONS: a mechanic, equipment operators and laborers. Please submit a resume to fullerpavingct@gmail.com and call 860-295-9566

ROCKY HILL INSURANCE AGENCY LOOKING FOR, PT/FT PERSONAL LINES LICENSED CUSTOMER SERVICE REP. email, gmurphy@lombardo-ins.com.

FT ELECTRICIAN OR ELECTRICIAN APPRENTICE NEEDED. Must be responsible with clean driving record. Great pay depending on experience! Send resume to AAAelectricianservices@ yahoo.com

SHEET METAL MECHANICS, APPRENTICES & HELPERS: Steady work, good benefits. Call for interview. 860-828-3762

GIANGRECO'S HOME AND OFFICE CLEANING, LLC: Great job with higher pay. Opportunity for advancement to management. Looking for friendly home and office cleaners. Experience not required. Must have reliable transportation. Great place to work. Family oriented company for 24 years. Please call Jim and Patty Giangreco at 860-667-3485.

MARLBOROUGH WINE & SPIRITS HAS AN EVENING POSITION OPEN Tues-Sat 3 or 4-8, negotiable. Please call or stop in (860)295-9460.

PART-TIME WEEKENDS ONLY: setting up bounce houses for local business. Must be able to lift heavy equipment. Experience welcome. $14.-$20. an hour. 860-573-4499.

PART-TIME OFFICE HELP NEEDED. Possibility of full-time. Computer knowledge is a must. Quickbooks a plus. Call 860-295-9566

Employment continued on next page

Direct Support Professional & Associate Program Director

Key Human Services

Location: Connecticut

Hours: Full-time, Part time, Casual, 1st, 2nd or 3rd shift

Description: Key Human Services, Inc. creates opportunities for men, women, and children with disabilities to grow and make meaningful life choices and provides assistance in finding home, health, friends, work and a presence in their communities.

Starting Rate: Contingent upon training and experience.

https://www.khs.org/careers/

XHIBIT M 00361

private backyard gardens in Manchester. Stop by an English-style garden, check out a water feature with its own bridge, a Koi pond, and a decorative rose garden with an art deco life-size bronze sculpture. The proceeds from this garden tour fund local horticulture-related non-profit organizations. Masks and social distancing are required. Advance tickets are $20; day-of-tour tickets are $25. Tickets are available at the following locations: Highland Park Market, 1320 Manchester Road; Garden Sales, 308 Oakland Street, Manchester; Woodland Gardens, 168 Woodland Street, Manchester; and Highland Park Market, 317 Highland Street, Manchester. Tickets will also be available the day of the tour at 83 Dartmouth Rd., Manchester (one of the gardens on the tour). For more information, visit www.manchestergardenclubs.org.

Portland: The Portland Republican Town Committee will present a Cornhole Tournament and Family Fun Day Saturday, June 12 at Portland's Riverfront Park. Check-in begins at 1 p.m., and tournament play starts at 2 p.m. The tournament is single-elimination/bracket format. Players can bring their own standard bags; no double-sided/pro bags are allowed. Cost is $60 per team. Registration deadline is June 6, though there will also be in-person registration on June 12 if the tournament is not sold out. Bring your own lawn chairs, lawn games and beverages. There will also be crafts and activities for children, karate lessons provided by Michael Pelton, and a food truck will be on site. For more information, email Tim Lavoy at gopportlandct@gmail.com or Ryan Curley at ryanjcurly@gmail.com.

Hebron: St. Peter's Episcopal Church will hold its next monthly community dinner Saturday, June 19 from 4:30-6:30 p.m. or until sold out. The church is located at 30 Church St. (Route 85) in Hebron. The menu will include baked stuffed chicken breast, mashed potato, gravy, stuffing, cranberry sauce, peas, tossed salad, roll and a choice of assorted desserts. Cost is $14 per meal. This is a take-out-only dinner; no preorders or reservations taken. Servers will come to your car, take your order, and deliver it to your back seat or trunk. Patrons will not get

ZONING BOARD OF APPEALS

THE GLASTONBURY ZONING BOARD OF APPEALS WILL HOLD A PUBLIC HEARING ON MONDAY JUNE 7, 2021 AT 7:00 P.M. VIA ZOOM CALL CONFERENCING TO HEAR THE FOLLOWING APPLICATIONS:

1. By Richard D. Lynch for a variance from Section 7.1a.2b to allow a shed to be closer than 75 feet to the front property line than permitted located at 184 Wassuc Road in RR Zone.
2. By Grease Monkey International, LLC d/b/a Economy Oil Change for a site location approval as required by CGS 14-54 at 2711 Main Street owned by Pearleon LLC, 2711 Main Street Glastonbury LLC in PBD zone.
3. By Crystal Kelly for a variance from Section 7.1b.2a Customary Home Occupation requirements, and a variance from Section 7.1b.2i.1 to allow greater than the allowed number of poultry at 237 Mountain Road, owned by Robert Spiller in RR Zone.

2TC 5/27, 6/3

com.

LEGAL NOTICE

Notice is hereby given, pursuant to Section 16-501(b) of the Connecticut General Statutes and Regulations pertaining thereto, of an Application to be submitted to the Connecticut Siting Council ("Council") on or about June 4, 2021, by Arx Wireless Infrastructure, LLC ("ARX" or the "Applicant"). The Application proposes the installation of a wireless telecommunications tower and related facility in the eastern portion of an approximately 11.24 acre parcel at Lot N-4, Sequin Drive, Glastonbury, Connecticut. ARX proposes to construct a 115-foot tall monopole (maximum height not to exceed 115' with antennas) within a 50' x 50' fenced (chain link) equipment compound within a 50 x 50' leased area. Access to and from the Site will be from Sequin Drive. The location and other features of the proposed facility are subject to change under provisions of Connecticut General Statutes § 16-50g et. seq.

On the day of the Siting Council public hearing on this proposal, ARX may be asked to fly a balloon at the height of the proposed tower described above. ARX will hold a virtual site visit on the day of the public hearing. Interested parties and residents of the Town of Glastonbury are invited to review the Application during normal business hours at any of the following offices or electronically at www.ct.gov/csc:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Arx Wireless Infrastructure LLC
110 Washington Avenue
North Haven, CT 06473

Glastonbury Town Manager's Office
2155 Main Street, 2nd Floor
Glastonbury, CT 06033

Glastonbury Town Clerk
2155 Main Street, Lower Level
Glastonbury, CT 06033

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Arx Wireless Infrastructure, LLC
David A. Ball, Esq. and Philip C. Pires, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
(203) 368-0211
Its Attorneys

2TC 5/27, 6/3

Quickbooks a plus. Call 860-295-9566

ROCKY HILL INSURANCE AGENCY LOOKING FOR, PT/FT PERSONAL LINES LICENSED CUSTOMER SERVICE REP. email, gmurphy@lombardo-ins.com.

OLDE TYME SERVICE HOME IMPROVEMENT COMPANY IS HIRING. Will train the right person. Must have own transportation. Pay depends upon experience. Please call OR text Andrew 860-930-0392 or office 860-659-1296.

PART-TIME WEEKENDS ONLY: setting up bounce houses for local business. Must be able to lift heavy equipment. Experience welcome. $14.-$20. an hour. 860-573-4499.

MARLBOROUGH WINE & SPIRITS HAS AN EVENING POSITION OPEN Tues-Sat 3 or 4-8, negotiable. Please call or stop in (860)295-9460.

PITKIN ST. MANCHESTER HAS AN IMMEDIATE OPENING FOR A PARISH ADMINISTRATOR. It is a 6-12-month temporary position. It will be a 20-hour work week, 9 to 2 Mondays through Thursdays, with the possibility for modification to meet applicant's needs. The required knowledge/skills are Word, Excel, PowerPoint, and DropBox management. Please contact the Congregational President by email at markwinz52@aol.com

FULLER PAVING IS LOOKING TO FILL THE FOLLOWING POSITIONS: a mechanic, equipment operators and laborers. Please submit a resume to fullerpavingct@gmail.com and call 860-295-9566

WELDER/FABRICATOR: Custom Sheet Metal Fabrication, light structural, min 5-10 yrs exp & SHEET METAL MECHANICS, APPRENTICES & HELPERS: Steady work, good benefits. Call for interview. 860-828-3762

for advance
Looking fo
office clea
required.
transporta
work. Fam
for 24 year
Patty Giang

WA

C

Co
avai
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Pleas

WANNA HAVE FUN AT WORK? COME JOIN OUR TEAM!

Licensed Practical Nurse (LPN) Assisted Living

Colebrook Village – Looking for an LPN that wants to join a dynamic, talented, and dedicated team. Duties will include but are not limited to the following: providing care to our residents, speaking with physicians, families & supervising the C.N.A's. Must like to have fun at work. FT & PT, 2nd and 3rd shifts available.

Please email: **kcifaldi@colebrookvillage.com**

CIT5-27-21

W

A

Selective Insurance

Selective Insurance seeks IT Application Team lead/coordinate/plan develpmt/testing of web-b comm. insurance. Duties: meet w/biz unit define/evaluate automation needs, oversee co design/test plans, define/interpret biz specs, dv analyze systms, oversee/monitor system imple schedules, direct jr team members. Reqs: B.S. Com Eng/sim +5 yrs'. exp design/dvlpg web-based ap NET. Exp must include: analyzing user reqs, w queries, troubleshooting issues, coordinating onsh teams, knowledge of CI/CD Tools, VB.NET, M JSON, Oracle, Web API, C#, Visual Studio and P&C ind. prfrrd. Glastonbury, CT worksite. Resu 40 Wantage Ave, Branchville, NJ 07890, Attn: H

EXHIBIT M 000352

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 2/9/2022 1:35:01 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Cell tower 92 Greens Farms Rd

David: As an alternative location, would you please review and consider the office complex at Nyala Farms? Thanks. Ira

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 2/9/2022 1:38:36 PM
To: Ball, David A. [dball@cohenandwolf.com]
Subject: Fwd: Cell Tower location

David: Would you please review and evaluate the alternate location described in the email below from Mr. Swan? Thank you. Ira

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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Begin forwarded message:

From: "Mozian, Alicia" <AMOZIAN@westportct.gov>
Date: February 2, 2022 at 9:15:42 AM EST
To: Ira Bloom <ibloom@berchemmoses.com>, "Tooker, Jennifer" <jtooker@westportct.gov>
Subject: FW: Cell Tower location

Good morning,
Not sure you both know Chris Swan, he was the community liaison between the Town and Eversource for years. He is a long-time Westport resident having grown up here.
Below is another suggestion for the cell tower location.
Talk soon.
Alicia

From: Chris Swan <chrisswan47@yahoo.com>
Sent: Tuesday, February 1, 2022 12:29 PM

To: Mozian, Alicia <AMOZIAN@westportct.gov>
Subject: Re: Cell Tower location

CAUTION: This email originated from outside of the Town of Westport's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

...and I meant to add, I believe the ideal location to consider is immediately east of the Eversource substation known as Compo Substation, on South Compo Road, in between the I-95 and Metronorth RR, on either a new tower or mounted to the utility's monopole transmission towers one section east of the take off monopole structure feeding the substation. So again, I would be happy to discuss with you whenever.
Take care!
On Tuesday, February 1, 2022, 11:58:00 AM EST, Chris Swan <chrisswan47@yahoo.com> wrote:

Hi Alicia - I was talking to Don Bancroft a short while ago and he told me the latest on the proposed cell tower at 55 Greens Farms Rd.
While I like that location better than 92 Greens Farms, I know the issues with both.
So I asked him why either mounting cell equipment on a transmission structure or locating the site along the railroad wasn't being suggested? Anyway glad to give my input if needed.
Chris
Sent from Yahoo Mail for iPhone

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 2/15/2022 10:18:11 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Ira Bloom [ibloom@berchemmoses.com]
Subject: FW: Municipal request for rail property

David:

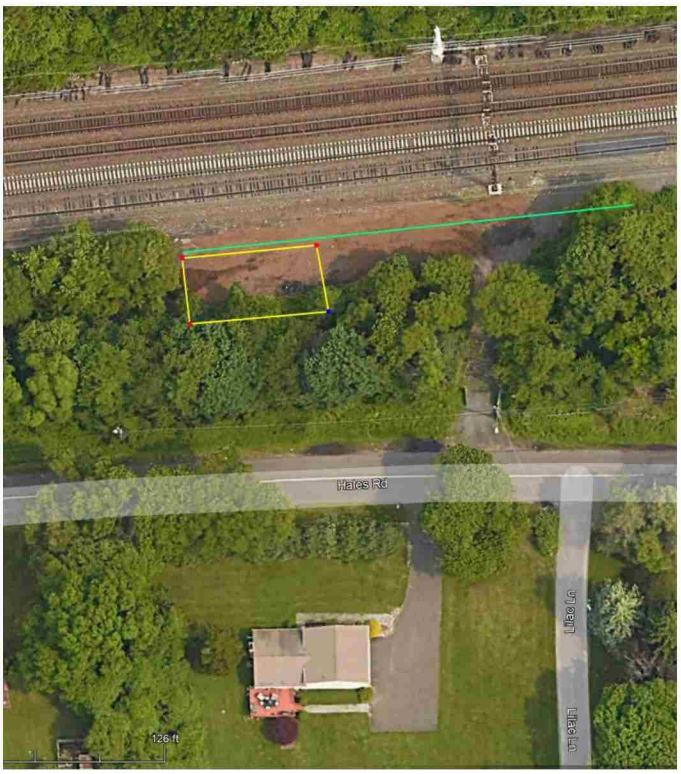
Good Morning. I am forwarding two additional state-owned properties for consideration by Tarpon as alternative sites for the Westport Tower. These are both railway locations and DOT RAIL has advised us that they will consider these properties for purposes of a possible cell tower lease with Tarpon. Please see the email chain below. It may take 45 days to hear back from DOT, so we wanted to provide you with these as soon as we learned DOT would entertain them, so that your engineers can review the site for feasibility in the meantime.

Parcel D 06 023 000 -
https://link.zixcentral.com/u/d1c48b6b/bJXUbmGO7BGR6WQIh3soMg?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

See white arrow below (disregard yellow box)



Potential site location within parcel at access road:



Also this property on the other side of the Hales Road overpass:

Parcel C 06 008 000 -
https://link.zixcentral.com/u/a146101d/tsjUbmGO7BGT82QIh3soMg?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

Thank you,

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

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Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 15, 2022 8:16 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Waugh, Kevin

<Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

Hi Nick-
This is to confirm CTDOT RAIL is in receipt of your email inquiry on behalf of the Town of Westport and will review the two locations (Parcels C and D) for potential feasibility/usage as wireless tower locations within CTDOT's RR ROW. Please note it will take approximately 45 days for our office to respond back to you with this information. Should you have any question concerning this process, please email John Vitale, Rail Officer at john.vitale@ct.gov .

Generally, if it is determined a site is feasible for this purpose, CTDOT would enter into a lease directly with the cell provider, as opposed to enter into a lease with the municipality for sole purposes of utilizing the property to sublease to the cell provider. CTDOT currently has existing agreements with the major cell providers and additional sites can be added when requested/approved. However, CTDOT is open to discuss any arrangement the Town of Westport may wish to propose if it is mutually beneficial for the Town and the State and has no adverse impact on public transportation.

Thank you and we will do our best to get this information back to you as soon as possible for the Town of Westport's planning purposes.

Regards,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Monday, February 14, 2022 11:40 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Municipal request for rail property

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Morning Ms. Thomas,

I represent the Town of Westport and we are currently facing a cell tower proposal by in a residential area of town close to I-95 and the railway. Currently we are doing everything we can to try and locate more appropriate alternative sites in the nearby vicinity.

To that end, I understand that you are the supervisor for DOT railway property. The Town's wireless consultant has located at least two parcels of state-owned property along the railway that could potentially work for a tower:

Parcel D 06 023 000 -
https://link.zixcentral.com/u/d1c48b6b/bJXUbmGO7BGR6WQIh3soMg?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

Parcel C 06 008 000 -
https://link.zixcentral.com/u/a146101d/tsjUbmGO7BGT82QIh3soMg?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

I am aware that DOT, at least for portions of railway property, has at times entered into leases with municipalities. Is there any opportunity for Westport to similarly pursue something with DOT for purposes of this cell tower, or for the Town to facilitate an arrangement between DOT and the cell tower provider? Thanks for any input or ideas you can provide.

Nick



Nicholas R. Bamonte
Berchem Moses PC

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nbamonte@berchemmoses.com

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Message

From: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Sent: 2/15/2022 10:30:46 AM
To: Pires, Philip C. [ppires@cohenandwolf.com]
CC: Ball, David A. [dball@cohenandwolf.com]
Subject: FW: Affidavit of Publication for Public Information Meeting
Attachments: [Untitled] (42).pdf

Phil – see attached affidavit. Will send the invoice once we receive it.

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

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Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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WESTPORT PLANNING AND ZONING
110 MYRTLE AVENUE
ATTN: NANCY
WESTPORT CT 06880

AFFIDAVIT OF PUBLICATION

STATE OF CONNECTICUT
COUNTY OF FAIRFIELD

I, _____

Being duly sworn, depose and say that I am a Representative in the employ of HEARST CONNECTICUT MEDIA GROUP, Publisher of the Westport News, that a LEGAL NOTICE as stated below was published in the Westport News.

Subscribed and sworn to before me on this 10th Day of February, A.D. 2022.

_____
Notary Public

Melinda S. Kelly
Notary Public, State of Connecticut
My Commission Expires 12/31/2025

My commission expires on

LEGAL NOTICE OF PUBLIC INFORMATION MEETING REGARDING PROPOSED CELL TOWER PURSUANT TO C.G.S. § 16-50l

Notice is hereby given that the Town of Westport and Tarpon Towers II, LLC ("Tarpon") will hold a remote Public Information Meeting on **Tuesday, February 8, 2022** , at 7:00 P.M. where Tarpon representatives will present details on its anticipated application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council for the construction, maintenance and operation of a telecommunications facility located at **92 Greens Farms Road** , or alternatively, **55 Greens Farms Road** , in Westport. The anticipated cell tower application by Tarpon is intended to provide Cellco Partnership, d/b/a Verizon Wireless ("Verizon") and New Cingular Wireless PCS, LLC ("AT&T"), and potentially other telecommunications providers, with opportunities to enhance wireless coverage in the area.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically. Any meeting materials will be posted at www.westportct.gov , on the Planning and Zoning Department web page under "Anticipated Cell Tower Application by Tarpon Towers". Instructions to attend the ZOOM meeting follow below and will also be posted on the Planning and Zoning Department web page:

Join Zoom Meeting
https://link.zixcentral.com/u/f35a5323/vJokXC957BGW3CLbhnsoMg?u=https%3A%2F%2Fus02web.zoom.us%2Fj%2F85938060095%3Fpwd%3DVk5FSnlrRVRLWTdpc3RXTU9sanJPdz09

Meeting ID: 859 3806 0095
Passcode: 632908
One tap mobile
+13126266799,,85938060095# US (Chicago)
+16468769923,,85938060095# US (New York)

Dated at Westport, Connecticut on this 19th day of January 2022, Jeffrey Dunkerton, Town Clerk.

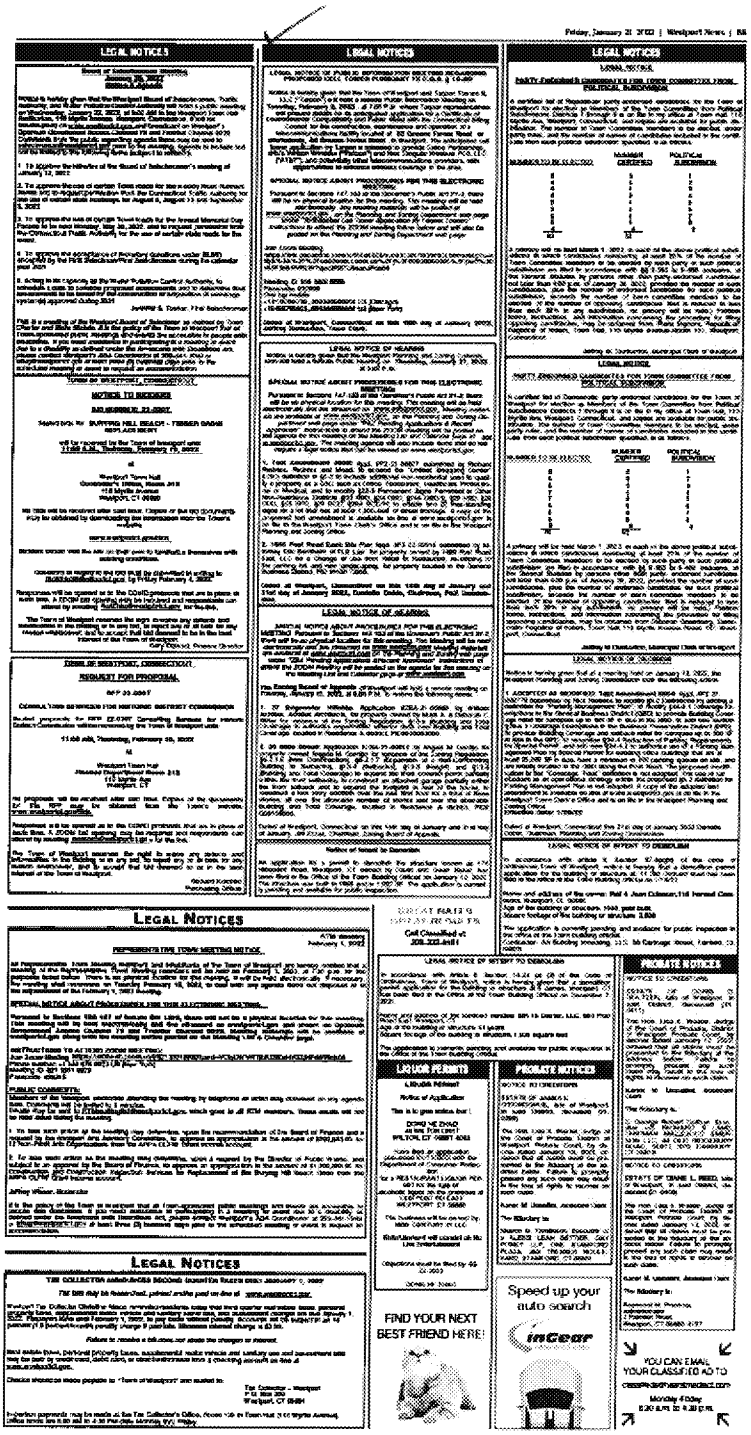
PO Number
20190070S P&Z

Ad Caption
LEGAL NOTICE OF PUBLIC IN

Publication
Westport News

Ad Number
0002681915-01

Publication Schedule
1/21/2022



Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 2/15/2022 11:02:13 AM
To: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
CC: Ball, David A. [dball@cohenandwolf.com]
Subject: RE: Affidavit of Publication for Public Information Meeting

Thanks Nick.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Tuesday, February 15, 2022 10:31 AM
To: Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Ball, David A. <DBall@cohenandwolf.com>
Subject: FW: Affidavit of Publication for Public Information Meeting

Phil – see attached affidavit. Will send the invoice once we receive it.

Nick

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Nicholas R. Bamonte
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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 2/18/2022 10:00:34 AM
To: Ira Bloom Esq. (ibloom@bmdlaw.com) [ibloom@bmdlaw.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Ball, David A. [dball@cohenandwolf.com]
Subject: 92 Greens Farms Road

Hi Ira,

The balloon float for this site is planned for Monday morning, weather permitting. It is anticipated that the team will be there at about 7 a.m., and it should last about four hours.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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Message

From: Pires, Philip C. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0388abba944b48cfb96d3c5d9521acfc-ppires@cohe]
Sent: 2/20/2022 8:11:24 PM
To: Ira Bloom Esq. (ibloom@bmdlaw.com) [ibloom@bmdlaw.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Ball, David A. [dball@cohenandwolf.com]
Subject: Re: 92 Greens Farms Road

Hi Ira,

Tomorrow's balloon float has been cancelled due to the anticipated high winds.

Phil

Philip C. Pires
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
P: 203.337.4122

From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, February 18, 2022 10:00:34 AM
To: Ira Bloom Esq. (ibloom@bmdlaw.com) <ibloom@bmdlaw.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Ball, David A. <DBall@cohenandwolf.com>
Subject: 92 Greens Farms Road

Hi Ira,

The balloon float for this site is planned for Monday morning, weather permitting. It is anticipated that the team will be there at about 7 a.m., and it should last about four hours.

Phil

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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 3/1/2022 3:59:06 PM
To: Ira Bloom Esq. (ibloom@bmdlaw.com) [ibloom@bmdlaw.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Ball, David A. [dball@cohenandwolf.com]
Subject: 92 Greens Farms Road Balloon Float

Hi Ira,

The balloon float is being planned for tomorrow morning. The team is expected to arrive around 7 a.m., and it should last for about 4 hours.

Phil

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 3/1/2022 5:39:30 PM
To: Pires, Philip C. [ppires@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]; Ball, David A. [dball@cohenandwolf.com]; 'jtooker@westportct.gov' [jtooker@westportct.gov]
Subject: RE: 92 Greens Farms Road Balloon Float
Flag: Flag for follow up

Phil: I had asked David if we could get a bit more notice. I will forward this now, but there will be some unhappy people. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

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ibloom@berchemmoses.com

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, March 1, 2022 3:59 PM
To: Ira Bloom <ibloom@bmdlaw.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Ball, David A. <DBall@cohenandwolf.com>
Subject: 92 Greens Farms Road Balloon Float

Hi Ira,

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Phil

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 3/3/2022 3:55:39 PM
To: Ball, David A. [dball@cohenandwolf.com]; Pires, Philip C. [ppires@cohenandwolf.com]
Subject: 92 GF

Flag: Follow up

David and Phil: Two requests: 1) Phil: Can you provide me with the email from Assumption Church indicating they are not making the cemetery available? 2) Months ago, you provided me with the redacted leases and options with the owner of 92. I cannot locate them now. Would you kindly send them to me again? (I was asked for both 1) and 2) by a member of the public, so I will be forwarding them...Just want you to know). Thank you. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 3/16/2022 11:08:10 AM
To: Ira Bloom [ibloom@berchemmoses.com]
CC: Ball, David A. [dball@cohenandwolf.com]
BCC: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 GF
Attachments: CT1024 Westport Ground Lease Amendment No. 1_7-21-16 (redacted).pdf; CT1024 Westport Ground Lease Amendment No. 2_5-5-20 (redacted).pdf; CT1024 Westport Ground Lease 9-17-13 (redacted).pdf; Correspondence with Westport cemetery.pdf

Hi Ira,

Please see attached the redacted ground lease documents and the correspondence with the cemetery.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, March 3, 2022 3:56 PM
To: Ball, David A. <DBall@cohenandwolf.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: 92 GF

David and Phil: Two requests: 1) Phil: Can you provide me with the email from Assumption Church indicating they are not making the cemetery available? 2) Months ago, you provided me with the redacted leases and options with the owner of 92. I cannot locate them now. Would you kindly send them to me again? (I was asked for both 1) and 2) by a member of the public, so I will be forwarding them…Just want you to know). Thank you. Ira

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FIRST AMENDMENT TO OPTION AND LEASE AGREEMENT

This First Amendment to Option and Lease Agreement ("First Amendment"), dated as of the latter of the signature dates, below, is by and between **Pradiv Mahesh and Sharuna Mahesh**, husband and wife, having a mailing address of 92 Green Farms Road, Westport, CT 06880 ("Landlord") and **Florida Tower Partners, LLC**, a Delaware limited liability company, having a mailing address of 1001 Third Avenue West, Suite 420, Bradenton, FL 34205 ("Tenant").

Landlord and Tenant have entered into an Option and Lease Agreement dated September 17, 2013 (the "Agreement") whereby Landlord granted Tenant an option to lease a portion of Landlord's Property for the construction and operation of a Communication Facility located at 92 Green Farms Road, Westport, Fairfield County, Connecticut; and

Landlord and Tenant desire to extend the Option Term to provide Tenant with additional time for evaluation of the Property and for obtaining all necessary Government Approvals; and

Tenant desires to assign the Agreement to an affiliated entity and Landlord is willing to consent to such assignment.

NOW THEREFORE, in consideration of the mutual covenants contained herein and such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. The Option Term is hereby extended to that date which is two (2) years following the full execution of this First Amendment. Landlord and Tenant hereby acknowledge and agree that the Agreement shall be deemed to have continued in full force and affect during any time in which the Option Term had expired prior to the execution of this First Amendment so that the Option Term shall have continued, and the Agreement shall have remained in full force and affect, from the effective date of the Option Term described in the Agreement and the expiration of the Option Term as extended herein.

2. In exchange for the granting of the extension to the Option Term described above, Tenant shall pay to Landlord [redacted] within ten (10) days of full execution of this First Amendment. Failure by Tenant to pay the sum required herein within such ten (10) day period will result in this First Amendment being automatically null and void and of no further force and affect.

3. Landlord hereby consents to Tenant's assignment of the Agreement to Tarpon Towers II, LLC, a Delaware limited liability company and agrees that upon Landlord's receipt of an instrument of assignment in which Tarpon Towers II, LLC, assumes all rights, duties, responsibilities and obligations of Tenant, Florida Tower Partners, LLC, shall be released from all liability under the Agreement. Landlord's consent to the assignment herein shall not be deemed a consent to any other assignments or transfers and Tenant shall continue to be required to seek Landlord's consent to future transfers, to the extent required by the Agreement.

4. Except as modified herein, the Agreement remains in full force and affect. All capitalized words and phrases not herein defined shall carry the same definition as found under the Agreement. In the event of a contradiction of discrepancy between the terms of the Agreement and this First Amendment, the terms of this First Amendment shall govern and control.

Signature Page to Follow

7/14/16

IN WITNESSES WHEREOF, Landlord and Tenant have executed this First Amendment as of the latter of the signatures, below, intending to be legally bound thereby.

"LANDLORD"
PRADIV MAHESH AND SHARUNA MAHESH

By: Pradiv Mahesh
Print Name: Pradiv Mahesh
Date: 7/18/16

By: Sharuna Mahesh
Print Name: Sharuna Mahesh
Date: 7/14/16

Witnesses for Landlord

Sign:
Print:

Sign:
Print: Donald Thrower

Sign:
Print:

Sign:
Print:

"TENANT"
FLORIDA TOWER PARTNERS, LLC.
a Delaware limited liability company

By:
Print: Bret Buggeln
Title: Manager/President
Date: 7/21/16

Witnesses for Tenant:

Sign: Rhea D. Oberg
Print: Rhea D Oberg

Sign:
Print:

SECOND AMENDMENT TO OPTION AND LEASE AGREEMENT

This Second Amendment to Option and Lease Agreement ("Second Amendment"), dated as of the latter of the signature dates, below, is by and between **Pradiv Mahesh and Sharuna Mahesh**, husband and wife, having a mailing address of 92 Green Farms Road, Westport, CT 06880 ("Landlord") and **Tarpon Towers II, LLC**, a Delaware limited liability company, successor-in-interest to Florida Tower Partners, LLC, having a mailing address of 8916 77th Terrace East, Suite 103, Lakewood Ranch, FL 34202 ("Tenant").

Landlord and Tenant, or its predecessor-in-interest, have entered into an Option and Lease Agreement dated September 17, 2013 as amended by a First Amendment to Option and Lease Agreement dated July 21, 2016 (the "Agreement") whereby Landlord granted Tenant an option to lease a portion of Landlord's Property for the construction and operation of a Communication Facility located at 92 Green Farms Road, Westport, Fairfield County, Connecticut; and

Landlord and Tenant desire to extend the Option Term to provide Tenant with additional time for evaluation of the Property and for obtaining all necessary Government Approvals.

NOW THEREFORE, in consideration of the mutual covenants contained herein and such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. The Option Term is hereby further extended to that date which is one (1) year following the full execution of this Second Amendment. Landlord and Tenant hereby acknowledge and agree that the Agreement shall be deemed to have continued in full force and affect during any time in which the Option Term had expired prior to the execution of this Second Amendment so that the Option Term shall have continued, and the Agreement shall have remained in full force and affect, from the effective date of the Option Term described in the Agreement and the expiration of the Option Term as extended herein.

2. In exchange for the granting of the extension to the Option Term described above, Tenant shall pay to Landlord upon full execution of this Second Amendment.

3. Tenant shall further have the right to an additional one (1) year extension of the Option Term upon written notification to Landlord and the payment of to be remitted to Landlord prior to the expiration of the Option Term as extended by Section 1, above. Any other additional extensions of the Option Term following the extensions described in Section 1 and this Section 3 shall require an additional writing signed by all parties hereto. In the event Tenant does not exercise the Option and fails to provide notice to Landlord of its desire to extend the option along with the herein described payment prior to the expiration of Option Period as it was extended in Section 1, then the Option shall be deemed null and void, the Agreement shall be deemed terminated and of no further force and affect, and both parties shall be released from all obligations and liabilities thereunder. Tenant shall not be entitled to any refund or return of the Option Money paid as of such date.

4. Tenant acknowledges and agrees that this Second Amendment must be fully executed and returned to Landlord with the payment described in Section 2, above, within ten (10) business days of receipt of partially executed original copies from Landlord, or the Second Amendment shall be deemed revoked and of no further force and affect, even if thereafter executed by Tenant.

5. Tenant further acknowledges that should Tenant desire to utilize the Premises, but fail to exercise the Option prior to its final expiration following the extensions described in Section 1 and Section 3, then Landlord will require renegotiation and re-execution of the Agreement.

6. Section 17 of the Agreement is hereby amended to delete Tenant's notice address described therein and replace with the following: **Tarpon Towers II, LLC, 8916 77th Terrace East, Suite 103, Lakewood Ranch, FL 34202, Attn: Site Administration. Re: CT1024 Westport**

7. Except as modified herein, the Agreement remains in full force and affect. All capitalized words and phrases not herein defined shall carry the same definition as found under the Agreement. In the event of a contradiction of discrepancy between the terms of the Agreement and this Second Amendment, the terms of this Second Amendment shall govern and control.

Signature Page to Follow

IN WITNESSES WHEREOF, Landlord and Tenant have executed this Second Amendment as of the latter of the signatures, below, intending to be legally bound thereby.

"LANDLORD"
PRADIV MAHESH AND SHARUNA MAHESH
By: _____
Print Name: Pradiv Mahesh
Date: 4/24/2020

By: _____
Print Name: Sharuna Mahesh
Date: 4/24/2020

Witnesses for Landlord
Sign: _____
Print: Dia Mahesh

Sign: _____
Print: _____

Sign: _____
Print: Dia Mahesh

Sign: _____
Print: _____

"TENANT"
TARPON TOWERS II, LLC,
a Delaware limited liability company

By: _____
Print: Brett Buggeln
Title: COO
Date: 5/5/2020

Witnesses for Tenant:

Sign: _____
Print: _____

Sign: _____
Print: _____

OPTION AND LEASE AGREEMENT

THIS OPTION AND LEASE AGREEMENT ("Agreement"), dated as of the latter of the signature dates below (the "Effective Date"), is entered into by **Pradiv Mahesh and Sharuna Mahesh,** husband and wife, having a mailing address of 92 Green Farms Rd. Westport, Ct. 06880. ("Landlord") and **Florida Tower Partners, LLC**, a Delaware limited liability company d/b/a North Atlantic Towers, having a mailing address of 1001 Third Avenue West, Suite 420, Bradenton, FL 34205 ("Tenant").

BACKGROUND

Landlord owns or controls that certain plot, parcel or tract of land, together with all rights and privileges arising in connection therewith, located at 92 Green Farms Rd. Westport, in the County of Fairfield, State of Connecticut (collectively, the "Property") and which is more particularly described on Exhibit 1. Tenant desires to use a portion of the Property in connection with its federally licensed communications business. Landlord desires to grant to Tenant the right to use a portion of the Property in accordance with this Agreement.

The parties agree as follows:

1. OPTION TO LEASE.

(a) Landlord grants to Tenant an option (the "Option") to lease a certain portion of the Property containing approximately 2,500 square feet including the air space above such room/cabinet/ground space as described on attached Exhibit 2 for use as a Communication Facility, as defined below, as well as easements for the placement of utilities to service the Communication Facility and for ingress and egress from the nearest public right of way (collectively, the "Premises").

(b) During the Option Term (as defined below), and during the term of this Agreement, Tenant and its agents, engineers, surveyors and other representatives will have the right to enter upon the Property to perform inspections and studies to determine the suitability of the Premises for the Communication Facility, including but not limited to, inspect, examine, conduct soil borings, drainage testing, material sampling, radio frequency testing and other geological or engineering tests or studies of the Property (collectively, the "Tests"), to apply for and obtain licenses, permits, approvals, or other relief required of or deemed necessary or appropriate at Tenant's sole discretion for its use of the Premises and include, without limitation, applications for zoning variances, zoning ordinances, amendments, special use permits, and construction permits (collectively, the "Government Approvals"), initiate the ordering and/or scheduling of necessary utilities, and otherwise to do those things on or off the Property that, in the opinion of Tenant, are necessary in Tenant's sole discretion to determine the physical condition of the Property, the environmental history of the Property, Landlord's title to the Property and the feasibility or suitability of the Property for Tenant's Permitted Use, all at Tenant's expense. Tenant will not be liable to Landlord or any third party on account of any pre-existing defect or condition on or with respect to the Property, whether or not such defect or condition is disclosed by Tenant's inspection. Likewise, Landlord will not be liable to Tenant or its agents, employees or assigns on account of any pre-existing defect or condition on or with respect to the Property, except that Tenant shall be entitled to terminate this Agreement on account of any pre-existing defect that would prevent Tenant from making use of the Property as contemplated by this Agreement or that would have an adverse affect on Tenant's use of the

Property, in Tenant's sole discretion. Tenant will restore the Property to its condition as it existed at the commencement of the Option Term, reasonable wear and tear and casualty not caused by Tenant excepted. In addition, Tenant shall indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or claims arising directly out of Tenant's Tests. Notwithstanding the forgoing, should Tenant exercise the Option and construct the Communication Facility, then Tenant's obligation to restore the Premises shall be governed by section 13, however, any portion of the Property disturbed by Tenant that does not end up as part of the Premises shall be restored following completion of construction of the Communication Facility.

(c) In consideration of Landlord granting Tenant the Option, Tenant agrees to pay Landlord the sum of within thirty (30) business days of the Effective Date. The Option will be for an initial term of one (1) year commencing on the Effective Date (the "Initial Option Term") and may be renewed by Tenant for an additional one (1) year (the "Renewal Option Term") upon written notification to Landlord and the payment of an additional no later than ten (10) days prior to the expiration date of the Initial Option Term. The Initial Option Term and any Renewal Option Term are collectively referred to as the "Option Term." Additional extensions of the Option Term may be permitted upon mutual written agreement of the parties. Landlord acknowledges and agrees that no payments can be made to Landlord until Landlord has provided Tenant with an IRS form W-9.

(d) The Option may be sold, assigned or transferred at any time by Tenant to an Affiliate (as defined below) of Tenant or to any third party acquiring substantially all of the assets of Tenant in the market defined by the FCC and agreeing to be subject to the terms hereof. Otherwise, the Option may not be sold, assigned or transferred without the written consent of Landlord, such consent not to be unreasonably withheld, conditioned or delayed. From and after the date the Option has been sold, assigned or transferred by Tenant to a third party agreeing to be subject to the terms hereof, Tenant shall immediately be released from any and all liability under this Agreement, including the payment of any rental or other sums due, without any further action.

(e) During the Option Term, Tenant may exercise the Option by notifying Landlord in writing, with the date of such written notice being the "Exercise Date". If Tenant exercises the Option then Landlord leases the Premises to Tenant subject to the terms and conditions of this Agreement at the Exercise Date. If Tenant does not exercise the Option during the Option Term, this Agreement will terminate and the parties will have no further liability to each other. If Tenant fails to properly exercise the Option the Option shall terminate, and all rights and privileges granted hereunder shall be deemed surrendered, Owner shall retain all money paid for the Option, and no additional money shall be payable by either party to the other.

(f) If during the Option Term, or during the term of this Agreement if the Option is exercised, Landlord decides to subdivide, sell, or change the status of the zoning of the Premises, Property or any of Landlord's contiguous, adjoining or surrounding property (the "Surrounding Property,") or in the event of foreclosure, Landlord shall immediately notify Tenant in writing. Any sale of the Property shall be subject to Tenant's rights under this Agreement. Landlord agrees that during the Option Term, or during the Term of this Agreement if the Option is exercised, Landlord shall not initiate or consent to any change

in the zoning of the Premises, Property or Surrounding Property or impose or consent to any other restriction that would prevent or limit Tenant from using the Premises for the Permitted Use.

2. PERMITTED USE. Tenant may use the Premises for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of its communications fixtures and related equipment, cables, accessories and improvements, which may include a suitable support structure, associated antennas, equipment shelters or cabinets and fencing and any other items necessary to the successful and secure use of the Premises (collectively, the "Communication Facility"), as well as the right to test, survey and review title on the Property; Tenant further has the right but not the obligation to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, at no additional cost to Tenant or Landlord (collectively, the "Permitted Use"). Landlord and Tenant agree that any portion of the Communication Facility that may be conceptually described on Exhibit 1 will not be deemed to limit Tenant's Permitted Use. If Exhibit 1 includes drawings of the initial installation of the Communication Facility, Landlord's execution of this Agreement will signify Landlord's approval of Exhibit 1. For a period of ninety (90) days following the start of construction, Landlord grants Tenant, its subtenants, licensees and sublicensees, the right to use such portions of Landlord's contiguous, adjoining or Surrounding Property as described on Exhibit 1 as may reasonably be required during construction and installation of the Communication Facility. Tenant has the right to install and operate transmission cables, electric lines, telephone cables, and other utility infrastructure from the Property's main entry point to the Communication Facility, and to make Property improvements, alterations, upgrades or additions appropriate for Tenant's use ("Tenant Changes"). Tenant Changes include the right to construct a fence around the Premises and undertake any other appropriate means to secure the Premises at Tenant's expense. Tenant agrees to comply with all applicable governmental laws, rules, statutes and regulations relating to its use of the Communication Facility on the Property. Tenant has the right to modify, supplement, replace, upgrade, expand the equipment, antennas add additional equipment at any time or relocate the Communication Facility within the Premises at any time during the term of this Agreement at no additional rent or other charges to Landlord. Tenant or its subtenants will be allowed to make such alterations to the Property in order to accomplish Tenant's Changes, to add additional subtenant's equipment or upgrade an existing subtenant's equipment, or to insure that Tenant's Communication Facility complies with all applicable federal, state or local laws, rules or regulations.

3. TERM.

(a) The initial lease term will be ten (10) years (the "Initial Term"), commencing on the Exercise Date of the Option (the "Term Commencement Date"). The Initial Term will terminate on the ~~fifth (5th)~~ 10th anniversary of the Term Commencement Date.

(b) This Agreement will automatically renew for three (3) additional ten (10) year term(s) (each ten (10) year renewal term shall be defined as an "Extension Term"), upon the same terms and conditions unless Tenant notifies Landlord in writing of Tenant's intention not to renew this Agreement at least sixty (60) days prior to the expiration of the existing Term.

(c) If, at least sixty (60) days prior to the end of the final Extension Term, either Landlord or Tenant has not given the other written notice of its desire that the term of this Agreement end at the expiration of the final Extension Term, then upon the expiration of the final Extension Term this

Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter ("Annual Term") until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rental during such annual terms shall be equal to the rent paid for the last month of the final Extension Term. If Tenant remains in possession of the Premises after the termination of this Agreement then Tenant will be deemed to be occupying the Premises on a month-to-month basis (the "Holdover Term"), subject to the terms and conditions of this Agreement.

(d) The Initial Term, any Extension Terms, any Annual Terms and any Holdover Term are collectively referred to as the Term (the "Term").

4. RENT.

(a) Commencing in the month following the date the Term Commencement Date, , Tenant will pay Landlord on the first (1st) day of each calendar month in advance (the "Rent"), at the address set forth above. In any partial month occurring after the Rent Commencement Date, Rent will be prorated. The initial Rent payment will be forwarded by Tenant to Landlord within twenty (20) days after the Term Commencement Date, provided Landlord has provided Tenant with an IRS form W9, otherwise, the initial Rent payment will be forwarded by Tenant to Landlord within twenty (20) days after the Term Commencement Date and Tenant's receipt of Landlord's W9.

(b) The Rent shall increase annually by on the anniversary of the Term Commencement Date.

(c) As additional rent Landlord shall receive of the gross rents received by Tenant from subtenants. For the purposes of this section, "gross rents" shall mean the rent collected by Tenant from its subtenants for the subtenants' occupancyn of the Premises and use of the Communication Facility, but shall not include any payments or reimbursements for expenses or capital costs, including but not limited to, administration fees for the processing of applications to lease space on the Communication Facility, payments for engineering studies or other reports concerning the suitability of the Communication Facility, payment of any capital contribution or reimbursement for improvements to the Communication Facility, or, if necessary, the reimbursement of any utility or other operating expenses from a subtenant to Tenant. These additional rents shall be payable starting the first day of the month following the subtenants rent commencement date under their subleases with Tenant and shall escalate in accordance with the terms of the subleases. Upon the commencement of any increase in Rent due to additional revenue from a new subtenant, or upon Landlord's request, Tenant shall provide Landlord with Tenant's calculation of Landlord's new Rent, specifically detailing the amount of rent being paid by the new and any existing subtenants and the calculation of the twenty percent (20%) to be paid to Landlord. Landlord acknowledges and agrees that the first subtenant, or if the first subtenant's lease is terminated or cancelled, then the earliest sublease, shall be exempt from the additional payments to Landlord under this section 4(c).

(d) Along with the first Rent payment, Tenant shall also pay to Landlord a fee equal to as reimbursement for Landlord's legal fees incurred in the negotiation of this Agreement.

5. APPROVALS.

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for Tenant's Permitted Use and Tenant's ability to obtain and maintain all Government Approvals. Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for Tenant's Permitted Use under this Agreement and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals. Landlord shall reasonably cooperate with Tenant in all zoning and permitting activities. Landlord shall not be entitled to additional compensation for satisfying any zoning, permitting or approval requirements, but Landlord's cooperation shall be at no cost or expense to Landlord. Owner shall not take any action that would adversely affect Tenant's obtaining or maintaining any governmental approval, except any action that may be required by any federal, state or local jurisdiction following a reasonable attempt by Owner to get such requirements waived or dismissed. In the event that Owner's actions has a material adverse affect on Tenant's use of the Premises or on Tenant's ability to obtain any government approvals, then Tenant shall have the right to terminate this Agreement.

(b) Tenant has the right at its expense to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

6. TERMINATION. This Agreement may be terminated, without penalty or further liability, as follows:

(a) by either party on thirty (30) days prior written notice, if the other party remains in default under Section 15 of this Agreement after the applicable cure periods;

(b) by Tenant upon written notice to Landlord, if Tenant is unable to obtain, or maintain, any required approval(s) or the issuance of a license or permit by any agency, board, court or other governmental authority necessary for the construction or operation of the Communication Facility as now or hereafter intended by Tenant; or if Tenant determines, in its sole discretion that the cost of or delay in obtaining or retaining the same is commercially unreasonable;

(c) by Tenant, upon written notice to Landlord, if Tenant determines, in its sole discretion, due to the title report results or survey results or the results of any of the other tests or inspections permitting by this Agreement, that the condition of the Premises is unsatisfactory for its intended uses or if Landlord is unable to obtain a subordination, non-disturbance and attornment agreement from Landlord's mortgagee. With respect to any mortgage of Landlord that exists on the Property as of the Effective Date, Landlord shall also have the right to terminate the Agreement if any such mortgage requires the mortgagee's consent to this Agreement and the mortgagee has refused to consent. However, such right to terminate must be exercised within fifteen (15) days of Landlord or Tenant's receipt of notice from the mortgagee refusing to consent or otherwise execute a subordination, non-disturbance and attornment agreement.;

(d) by Tenant upon written notice to Landlord for any reason or no reason, at any time prior to commencement of construction by Tenant; or

(e) by Tenant upon sixty (60) days' prior written notice to Landlord for any reason or no reason, so long as Tenant pays Landlord a termination fee equal to three (3) months' Rent, at the then-current rate, provided, however, that no such termination fee will be payable on account of the termination of this Agreement by Tenant under any one or more of Sections 5 Approvals, 6(a) Termination, 6(b) Termination, 6(c) Termination, 8 Interference, 11(d) Environmental, 18 Condemnation, 19 Casualty or 24(l) Severability of this Agreement.

7. INSURANCE.

(a) During the Term, Tenant will carry, at its own cost and expense, the following insurance: (i) "All Risk" property insurance for its property's replacement cost; (ii) Workers' Compensation Insurance as required by law; and (iii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford minimum protection of Three Million Dollars ($3,000,000) combined single limit, per occurrence and in the aggregate, providing coverage for bodily injury and property damage. Tenant's CGL insurance shall contain a provision including Landlord as an additional insured to the extent of the indemnity provided by Tenant under this Agreement. Any such policy shall require the approval of Landlord's mortgagee.

(b) Tenant shall pay Landlord's insurance premium for insuring Landlord's Property against liability caused by the Communication Facility. Tenant agrees to pay the premium amount within thirty (30) days of receipt of a bill from Landlord, but in no event shall it be later than the due date specified in the bill, unless Landlord provides the bill after the due date, in which case Tenant shall remit payment within five (5) days of receipt of the bill. If the premium for such additional insurance is of an amount that Tenant is unwilling to pay at any time during the Term or Renewal Terms of this Agreement, then Tenant shall have the option of terminating this Agreement and removing the Communication Facility. Tenant shall be required to continue to pay for the insurance until such time as the Communication Facility has been removed from Landlord's Property. In the event that Landlord is unable to insure the Property due to the presence of the Communication Facility, then Landlord shall provide written notice of the same to Tenant and Tenant shall have sixty (60) days within which to procure insurance on Landlord's behalf. If Tenant is unable to procure insurance for the Property, then Landlord shall have the right to terminate this Agreement upon written notice to Tenant.

(c) Notwithstanding anything in this Agreement to the contrary, Tenant shall not be obligated to pay Landlord's existing property insurance premiums. Tenant is only responsible for the insurance premiums related to or arising out of the provisions of this Agreement and/or any loss or damage caused by the Communication Facility.

8. INTERFERENCE.

(a) Landlord will not grant, after the date of this Agreement, a lease, license or any other right to any third party for the use of the Property, if such use may in any way adversely affect or interfere with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will notify Tenant in writing prior to granting any third party the right to install and operate

communications equipment on the Property. In no event may Landlord grant any third party the right to use Landlord's Property for a wireless communication facility without the prior written consent of Tenant which may be withheld in Tenant's sole discretion.

(b) Landlord will not use, nor will Landlord permit its employees, tenants, licensees, invitees, agents or independent contractors to use, any portion of the Property in any way which interferes with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will cause such interference to cease within twenty-four (24) hours after receipt of notice of interference from Tenant. In the event any such interference does not cease within the aforementioned cure period, Landlord shall cease all operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected.

9. INDEMNIFICATION.

(a) Tenant agrees to indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Communication Facility or Tenant's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Landlord, its employees, agents or independent contractors.

(b) Landlord agrees to indemnify, defend and hold Tenant harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act of Landlord, its employees or agents, or Landlord's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Tenant, its employees, agents or independent contractors.

10. WARRANTIES.

(a) Tenant and Landlord each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power and authority to enter into this Agreement and bind itself hereto through the party set forth as signatory for the party below.

(b) Landlord represents, warrants and agrees that:

(i) Landlord solely owns the Property as a legal lot in fee simple, or controls the Property by lease or license;

(ii) the Property is not and will not be encumbered by any liens, restrictions, mortgages, covenants, conditions, easements, leases, or any other agreements of record or not of record, which would adversely affect Tenant's Permitted Use and enjoyment of the Premises under this Agreement;

(iii) as long as Tenant is not in default then Landlord grants to Tenant sole, actual, quiet and peaceful use, enjoyment and possession of the Premises;

(iv) Landlord's execution and performance of this Agreement will not violate any laws, ordinances, covenants or the provisions of any mortgage, lease or other agreement binding on Landlord; and

(v) if the Property is or becomes encumbered by a deed to secure a debt, mortgage or other security interest, Landlord will provide promptly to Tenant a mutually agreeable subordination, non-disturbance and atonement agreement executed and notarized by Landlord's mortgagee.

11. ENVIRONMENTAL.

(a) Landlord represents and warrants that to the best of his knowledge, except as may be identified in Exhibit 11 attached to this Agreement,

(i) the Property, as of the date of this Agreement, is free of hazardous substances, including asbestos-containing materials and lead paint to the best of their knowledge, and

(ii) the Property has never been subject to any contamination or hazardous conditions resulting in any environmental investigation, inquiry or remediation to the best of the Landlord's knowledge. Landlord and Tenant agree that each will be responsible for compliance with any and all applicable governmental laws, rules, statutes, regulations, codes, ordinances, or principles of common law regulating or imposing standards of liability or standards of conduct with regard to protection of the environment or worker health and safety, as may now or at any time hereafter be in effect, to the extent such apply to that party's activity conducted in or on the Property.

(b) As soon as reasonably practical upon the full execution of this Agreement, Tenant or Tenant's vendor shall perform a "Phase One Environmental Site Assessment" (the "Phase One") of the Premises and shall provide a copy of the report to Landlord. In the event that the Phase One discloses the presence of any "Recognized Environmental Conditions" that, in Tenant's opinion, would necessitate soil, ground water, or other invasive testing to determine the presence of hazardous materials, then Landlord shall have the right to terminate this Agreement within fifteen (15) days of receipt of the Phase One. Notwithstanding the foregoing, Tenant shall have the right to decide to forgo any additional testing, if legally permissible, and construct the Communication Facility, in which event Landlord may not terminate the Agreement under this paragraph. However, in such an event, Landlord shall not be liable to Tenant for any damages or losses of Tenant due to the presence of any hazardous substances on or under the Premises. Further, in such event, the Landlord shall not be liable to any third party, including any governmental or environmental agency for the costs of any clean-up, fines, penalties, fees, or expenses of any type resulting from the tenant having proceeded without further testing or remediation, all of which costs the Tenant shall pay and for which the Tenant shall be solely liable..

12. ACCESS. At all times throughout the Term of this Agreement, and at no additional charge to Tenant, Tenant, its subtenants, and their employees, agents, and subcontractors, will have twenty-four (24) hour per day, seven (7) day per week pedestrian and vehicular access ("Access") to and over the Property, from an open and improved public road to the Premises, for the installation, maintenance and operation of the Communication Facility and any utilities serving the Premises. As may be described more fully in

Exhibit 1, Landlord grants to Tenant such access and Landlord agrees to provide to Tenant such codes, keys and other instruments necessary for such access at no additional cost to Tenant.

13. REMOVAL/RESTORATION. All portions of the Communication Facility brought onto the Property by Tenant will be and remain Tenant's personal property and, at Tenant's option, may be removed by Tenant at any time during the Term. Landlord covenants and agrees that no part of the Communication Facility constructed, erected or placed on the Premises by Tenant will become, or be considered as being affixed to or a part of, the Property, it being the specific intention of Landlord that all improvements of every kind and nature constructed, erected or placed by Tenant on the Premises will be and remain the property of Tenant and may be removed by Tenant at any time during the Term. Upon the expiration or earlier termination of this Agreement, or at Tenant's option, all personal property and trade fixtures of Tenant, specifically including towers, buildings, and electrical and telephone conduit or lines shall be removed by Tenant within sixty (60) days after the expiration or earlier termination of this Agreement. Notwithstanding the foregoing, upon expiration or earlier termination of this Agreement, Tenant shall not be required to remove any foundation more than five (5) feet below grade level. In the event that Tenant has not vacated the Premises as required herein within said sixty (60) day period, then Tenant's tenancy shall continue on a month-to-month basis and Tenant shall pay rent to Owner equal to the rent in effect the immediately preceding year increased by three (3) percent. Rent during such holdover term shall continue to increase at three (3) percent on each anniversary of the Term Commencement Date until such time as Tenant has vacated the Premises as required herein

14. MAINTENANCE/UTILITIES.

(a) Tenant will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. Landlord will maintain and repair the Property and access thereto and all areas of the Premises where Tenant does not have exclusive control, in good and tenantable condition, subject to reasonable wear and tear and damage from the elements.

(b) Tenant shall have the right, at its expense, to install or improve utilities servicing Landlord's Property (including, but not limited to, the installation of emergency power generators, power lines and utility poles). Owner agrees to reasonably cooperate with Tenant in its efforts to obtain, install and connect the Communications Facility to existing utility service at Tenant's expense, and agrees to cooperate should existing utility services need to be upgraded to accommodate Tenant's use, provided such upgrades are at Tenant's sole cost and expense and do not interfere with Landlord's use and enjoyment of the Property. Tenant will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by Tenant on the Premises. The final location of any utility easements on the Property shall be in a location reasonably acceptable to Tenant, Landlord, and the local utility provider.

(c) Landlord hereby grants to any utility company providing utility services to Tenant access to the Premises, and upon the Premises, for the purpose of constructing, operating and maintaining such lines, wires, circuits, and conduits, associated equipment cabinets and such appurtenances thereto, as such utility companies may from time to time require in order to provide such services to the Premises.

(d) Landlord agrees to execute all necessary documentation required by a utility or telephone company to provide services to the Premises, including but not limited to separate easement agreements between the Landlord and the utility provider. Such cooperation by Landlord shall be at no cost or expense to Landlord.

15. DEFAULT AND RIGHT TO CURE.

(a) The following will be deemed a default by Tenant and a breach of this Agreement:

(i) non- payment of Rent if such Rent remains unpaid for more than ten (10) days after written notice from Landlord to Tenant; or

(ii) Tenant's failure to perform any other term or condition under this Agreement within thirty (30) days after receipt of written notice from Landlord specifying the failure. No such failure, however, will be deemed to exist if Tenant has commenced to cure such default within such period and provided that such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Tenant.

(b) If Tenant remains in default beyond any applicable cure period, Landlord will have the right to exercise any and all rights and remedies available to it under law and equity.

(c) The following will be deemed a default by Landlord and a breach of this Agreement:

(i) Failure to provide access to the Premises within forty eight (48) hours of receipt of written notice of such default from Tenant;

(ii) Failure to cure an interference problem within thirty (30) days after receipt of written notice of such default; or

(iii) Landlord's failure to perform any term, condition or breach of any warranty or covenant under this Agreement within thirty (30) days after receipt of written notice from Tenant specifying the failure. No such failure, however, will be deemed to exist if Landlord has commenced to cure the default within such period and provided such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Landlord.

(d) If Landlord remains in default beyond any applicable cure period, Tenant will have:

(i) the right to cure Landlord's default and deduct all costs and expenses related to curing Landlord's default from Rent; and

(ii) any and all other rights available to it under law and equity.

16. ASSIGNMENT/SUBLEASE.

(a) Tenant has the right to sublease all or any portion of the Premises during the Term and Renewal Terms of this Agreement, without Owner's consent, but with notice to the Owner subject to the following conditions (i) the term of the sublease may not extend beyond the Term and any Renewal

Terms of this Agreement, and, (ii) all subleases are subject to all the terms, covenants, and conditions of this Agreement.

(b) Tenant shall have the right to assign or transfer its rights under this Agreement, in whole or in part, at any time, with Landlord's consent, which consent shall not be unreasonably withheld, conditioned or delayed or premised upon the payment of additional monetary compensation to Landlord other than the continuation of any existing monetary obligations by the assignee under this Agreement. After delivery by Tenant of an instrument of assumption by an assignee that assumes all of the obligations of Tenant under this Agreement to Landlord, Tenant will be relieved of all liability thereafter.

(c) Tenant may assign, pledge, mortgage or otherwise encumber its interest in this Agreement to any third party (a "Leasehold Lender") as security for any loan to which Landlord hereby consents without requirement of further evidence of such consent. The Leasehold Lender may secure its interest in such a loan by Tenant's grant of a leasehold mortgage and assignment of rents, leases, contracts, etc. (the "Leasehold Mortgage") encumbering all of Tenant's interest in this Agreement and the Premises; and a security agreement and other security documents (the "Security Agreements") that will encumber and grant a security interest in all of Tenant's now or hereafter existing tangible or intangible personal property located on, derived from, or utilized in connection with the Premises and the Lease (collectively the "Personal Property"). No such assignment, pledge, mortgage or other encumbrance shall in any way take priority over rents owed to Landlord, whether or not such royalties are current, past and/or prospective.

(i). Successors. Any Leasehold Lender under any note or loan secured by a Leasehold Mortgage or deed of trust lien on Tenant's interest (or any successor's interest to Tenant's interest) who succeeds to such interest by foreclosure, deed in lieu of foreclosure, or otherwise, may take title to and shall have all of the rights of Tenant under this Agreement including the right to exercise any renewal option(s) or purchase option(s) set forth in this Agreement, and to assign this Agreement as permitted hereunder. Any such Leasehold Lender or successor to Tenant's interest shall assume all of Tenant's obligations and responsibilities under this Agreement and upon such assumption, Landlord shall have the right to seek recovery from such Leasehold Lender or successor in the event of a default of the terms of this Agreement.

(ii). Default Notice. Landlord shall deliver to the initial Leasehold Lender and any subsequent Leasehold Lender(s) (for such subsequent Leasehold Lender(s) at the address as Tenant or Leasehold Lender shall affirmatively inform Landlord of by written notice hereof) a copy of any default notice given by Landlord to Tenant under this Agreement. No default notice from Landlord to Tenant shall be deemed effective against the Leasehold Lender unless sent to the notice address for Leasehold Lender (if provided to Landlord as set forth herein) or as amended from time to time.

(iii). Notice and Curative Rights. If Tenant defaults on any obligations under this Agreement then Landlord shall accept a cure thereof by the Leasehold Lender within within the same time periods as proscribed for a cure by Tenant under this Agreement. If curing a non-monetary default requires possession of the Premises then Landlord agrees to give the Leasehold Lender a reasonable time to obtain possession of the Premises and to cure such default. In no event shall Leasehold Lender's cure of a non-monetary default take longer than ninety (90) days.

(iv). No Surrender, Termination or Cancellation Without Notice to Leasehold Lender. This Agreement will not be surrendered, terminated or cancelled unless such action is permitted by other sections of this Agreement, and then only upon thirty (30) days written notice to Leasehold Lender.

(v). New Lease Following Bankruptcy. If this Agreement is terminatedin bankruptcy then Landlord will use commercially reasonable efforts to enter into a new lease with Leasehold Lender (or its designee) on the same terms as this Agreement as long as Leasehold Lender pays all past due amounts under this Agreement within thirty (30) calendar days of notice of such termination. The rent under any such new lease shall be brought up to fair market value to be determined by a licensed appraiser to be chosen by Landlord and Leasehold Lender. In no event may the rent under any such new lease be lower than the rent due under this Agreement at the time of termination in bankruptcy, even if the appraiser determines that the fair market rent is less than what was due under this Agreement.

(vi). Notice. Notices to Leasehold Lender shall be sent to such address as affirmatively provided above or in a later writing for subsequent Leasehold Lender(s) to Landlord by Tenant from time to time and as may be amended from time to time by written notice to Landlord from Tenant.

(vii). Leasehold Lender. Tenant shall be required to notify Landlord of the existence of the Leasehold Lender by written notification send pursuant to section 17, below. Any changes to the identity of the Leasehold Lender must be provided to Landlord by written notification. Landlord's obligations under this section 7(b) shall only apply in the event Landlord has been notified by Tenant or Leasehold Lender of the existence of the Leasehold Lender along with Leasehold Lender's notice address. Landlord shall not be liable for failure to abide by the obligations of this section 7(a) if Tenant or Leasehold Lender has not sent to Landlord written notification containing such information as it may be changed or updated from time to time

17. NOTICES.

(a) All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered, or by personal delivery. Notices will be addressed to the parties as follows:

If to Tenant: Florida Tower Partners, LLC, 1001 Third Avenue West, Suite 420, Bradenton, FL 34205; Re: CT1024 Westport.

If to Landlord: Pradiv and Sharuna Mahesh 92 Green Farms Rd. Westport, CT. 06880

Either party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other as provided herein.

(b) In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Landlord or its successor will send the documents listed below in this subsection (b) to Tenant. Until Tenant receives all such documents, Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement.

i. Old deed to Property

ii. New deed to Property

iii. Bill of Sale or Transfer

iv. Copy of current Tax Bill

v. Full contact information for new Landlord including phone number(s)

18. CONDEMNATION. In the event Landlord receives notification of any condemnation proceedings affecting the Property, Landlord will provide notice of the proceeding to Tenant within forty-eight (48) hours. If a condemning authority takes all of the Property, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Agreement will terminate as of the date the title vests in the condemning authority. The parties shall be entitled to make claims in any condemnation proceeding for value of their respective interests in the Property (which for Tenant may include, where applicable, the value of the Communication Facility, moving expenses, prepaid Rents, and business dislocation expenses). Sale of all or part of the Landlord's Property including the Premises to a purchaser with the power of eminent domain in the face of the exercise of the power shall be treated as a taking by condemnation

19. CASUALTY. If any portion of the Landlord's Property or Communication Facility is damaged by any casualty and such damage adversely affects Tenant's use of the Premises, this Agreement shall terminate as of the date of casualty if Tenant gives written notice of the same within thirty (30) days after Tenant receives notice of such casualty.

20. WAIVER OF LANDLORD'S LIENS. Landlord waives any and all lien rights it may have, statutory or otherwise, concerning the Communication Facility or any portion thereof. The Communication Facility shall be deemed personal property for purposes of this Agreement, regardless of whether any portion is deemed real or personal property under applicable law; Landlord consents to Tenant's right to remove all or any portion of the Communication Facility from time to time in Tenant's sole discretion and without Landlord's consent. Nothing in this section shall be deemed to limit or otherwise waive any of Landlord's rights or remedies against Tenant in the event of a default by Tenant pursuant to section 15, above.**21. TAXES**. Landlord shall be responsible for payment of all ad valorem taxes levied upon the lands, improvements and other property of Landlord. Tenant shall be responsible for all taxes levied upon Tenant's leasehold improvements (including Tenant's equipment building and tower) on the Premises. Landlord shall provide Tenant with copies of all assessment notices on or including the Premises immediately upon receipt, along with sufficient written documentation detailing any assessment increases attributable to the leasehold improvements , but in no event later than thirty (30) days after receipt by Landlord.

22. SALE OF PROPERTY.

(a) Landlord shall not be prohibited from the selling, leasing or use of any of the Property or the Surrounding Property except as provided below.

(b) If Landlord, at any time during the Term of this Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or surrounding property, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Agreement and Tenant's rights hereunder. In the event the Property is transferred, the new landlord shall have a duty at the time of such

transfer to provide Tenant with a completed IRS Form W-9, or its equivalent, and other related paperwork to effect a transfer in Rent to the new landlord.

(c) Landlord agrees not to sell, lease or use any areas of the Property or Surrounding Property for the installation, operation or maintenance of other wireless communications facilities and will not grant, create, or suffer any claim, lien, encumbrance, easement, restriction, or other charge or exception to title to the Property and the Premises that would have a material adverse affect on Tenant's use of the Premises.

(d) The provisions of this Section shall in no way limit or impair the obligations of Landlord under this Agreement, including interference and access obligations.

24. MISCELLANEOUS.

(a) Amendment/Waiver. This Agreement cannot be amended, modified or revised unless done in writing and signed by Landlord and Tenant. No provision may be waived except in a writing signed by both parties. The failure by a party to enforce any provision of this Agreement or to require performance by the other party will not be construed to be a waiver, or in any way affect the right of either party to enforce such provision thereafter.

(b) Limitation of Liability. Except for the indemnity obligations set forth in this Agreement, and otherwise notwithstanding anything to the contrary in this Agreement, Tenant and Landlord each waives any claims that each may have against the other with respect to consequential, incidental or special damages, however caused, based on any theory of liability.

(c) Bind and Benefit. The terms and conditions contained in this Agreement will run with the Property and bind and inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.

(d) Entire Agreement. This Agreement and the exhibits attached hereto, all being a part hereof, constitute the entire agreement of the parties hereto and will supersede all prior offers, negotiations and agreements with respect to the subject matter of this Agreement.

(e) Governing Law. This Agreement will be governed by the laws of the state in which the Premises are located, without regard to conflicts of law.

(f) Interpretation. Unless otherwise specified, the following rules of construction and interpretation apply:

(i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof;

(ii) use of the term "including" will be interpreted to mean "including but not limited to";

(iii) whenever a party's consent is required under this Agreement, except as otherwise stated in this Agreement or as same may be duplicative, such consent will not be unreasonably withheld, conditioned or delayed;

(iv) exhibits are an integral part of this Agreement and are incorporated by reference into this Agreement;

(v) use of the terms "termination" or "expiration" are interchangeable;

(vi) reference to a default will take into consideration any applicable notice, grace and cure periods;

(vii) to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Agreement, the ambiguity shall not be resolved on the basis of who drafted the Agreement; and

(viii) the singular use of words includes the plural where appropriate.

(h) Affiliates. All references to "Tenant" shall be deemed to include any Affiliate of Tenant using the Premises for any Permitted Use or otherwise exercising the rights of Tenant pursuant to this Agreement. "Affiliate" means with respect to a party to this Agreement, any person or entity that (directly or indirectly) controls, is controlled by, or under common control with, that party. "Control" of a person or entity means the power (directly or indirectly) to direct the management or policies of that person or entity, whether through the ownership of voting securities, by contract, by agency or otherwise.

(i) Survival. Any provisions of this Agreement relating to indemnification shall survive the termination or expiration hereof. In addition, any terms and conditions contained in this Agreement that by their sense and context are intended to survive the termination or expiration of this Agreement shall so survive.

(j) W-9. Landlord agrees to provide Tenant with a completed IRS Form W-9, or its equivalent, upon execution of this Agreement and at such other times as may be reasonably requested by Tenant.

(k) No Electronic Signature/No Option. The submission of this Agreement to any party for examination or consideration does not constitute an offer, reservation of or option for the Premises based on the terms set forth herein. This Agreement will become effective as a binding Agreement only upon the handwritten legal execution, acknowledgment and delivery hereof by Landlord and Tenant.

(l) Severability. If any provision of this Agreement is held invalid, illegal or unenforceable by a court or agency of competent jurisdiction, (1) the validity, legality and enforceability of the remaining provisions of this Agreement are not affected or impaired in any way if the overall purpose of the Agreement is not rendered impossible and the original purpose, intent or consideration is not materially impaired; and (2) the parties shall negotiate in good faith in an attempt to agree to another provision (instead of the provision held to be invalid, illegal or unenforceable) that is valid, legal and enforceable and carries out the parties' intentions to the greatest lawful extent. If any such action or determination renders the overall performance of this Agreement impossible or materially impairs the original purpose, intent or consideration of this Agreement, and the parties are, despite the good faith efforts of each, unable to amend this Agreement to retain the original purpose, intent and consideration in compliance with that court or agency determination, either party may terminate this Agreement upon sixty (60) days' prior written notice to the other party.

(m) Counterparts. This Agreement may be executed in two (2) or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties. All parties need not sign the same counterpart.

(n) Landlord shall execute and acknowledge and deliver to Tenant for recording a Memorandum of this Agreement, and if necessary to correct or otherwise change the location of the Premises or other terms, a Corrected Memorandum of this Agreement (each a "Memorandum") upon Tenant's reasonable request to properly memorialize and give notice of this Agreement in the public records. Tenant will record such Memoranda at Tenant's sole cost and expense.

(o) Landlord agrees to pay when due all taxes, charges, judgments, liens, claims, assessments, and/or other charges outstanding which are levied upon Landlord or the Property and which are or in the future could become liens upon the Property, in whole or in any part (individually or collectively, "Liens"). Upon failure of the Landlord to pay the Liens when due as provided above, Tenant at its option, may pay said Liens. Tenant shall have the right to setoff and offset any sum so paid by Tenant and any and all costs, expenses and fees (including reasonable attorney's fees) incurred in effecting said payment, against Rents or against any other charges payable by Tenant to Landlord under the terms of this Agreement. In the event that Tenant elects not to set off or offset the amounts paid by Tenant against Rents or in the event that the amounts paid by Tenant exceed the Rents payable to Landlord for the then term of the Agreement, Landlord shall reimburse Tenant for all amounts paid by Tenant (or not offset) immediately upon demand. Any forbearance by Tenant in exercising any right or remedy provided in this paragraph or otherwise afforded by law shall not be deemed a waiver of or preclude the later exercise of said right or remedy. Notwithstanding the foregoing, Landlord has no liability to pay Tenant's personal property taxes or any increase in Landlord's real property taxes that are attributable to the Communications Facility.

25. ESTOPPEL CERTIFICATES. Landlord and Tenant shall from time to time, within ten (10) days after receipt of request from the other, deliver a written statement addressed to the requesting party and/or their mortgagee certifying, if true:

(a) that this Agreement is unmodified and in full force and effect (or if modified that this Agreement as so modified is in full force and effect);

(b) that the agreement attached to the certificate is a true and correct copy of this Agreement, and all amendments hereto;

(c) that to the knowledge of the responding party, the requesting party has not previously assigned or hypothecated its rights or interests under this Agreement, except as described in such statement with as much specificity as Landlord is able to provide;

(d) the term of this Agreement and the Rent then in effect and any additional charges;

(e) the date through which Tenant has paid the Rent;

(f) that the requesting party is not in default under any provision of this Agreement (or if in default, the nature thereof in detail) and a statement as to any outstanding obligations on the part of the parties; and

(g) such other matters as are reasonably requested by the requesting party.

Without in any way limiting the requesting party's remedies which may arise out of the responding party's failure to timely provide an estoppel certificate as required herein, the failure to deliver such certificate within such time shall be conclusive (i) that this Agreement is in full force and effect, without modification except as may be represented by the requesting party; (ii) that there are no uncured defaults; and (iii) that no Rent for the then current month, has been paid in advance by Tenant.

[SIGNATURES APPEAR ON THE NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused this Agreement to be effective as of the last date written below.

"LANDLORD"

PRADIV MAHESH AND SHARUNA MAHESH

By: _____
Print Name: Pradiv Mahesh
Date: 9/9/2013

By: _____
Print Name: Sharuna Mahesh
Date: 9/9/2013

Witnesses for Landlord

Sign: _____
Print: Ravi Pillai

Sign: _____
Print: Keith Coppins

Sign: _____
Print: Ravi Pillai

Sign: _____
Print: Keith Coppins

"TENANT"

FLORIDA TOWER PARTNERS, LLC,
a Delaware limited liability company
d/b/a North Atlantic Towers

By: _____
Print: Brett Buggeln
Title: Manager/President
Date: 9/17/13

Witnesses for Tenant:

Sign: _____
Print: Rhea D. Oberg

Sign: _____
Print: Todd A. Brannon

EXHIBIT 1

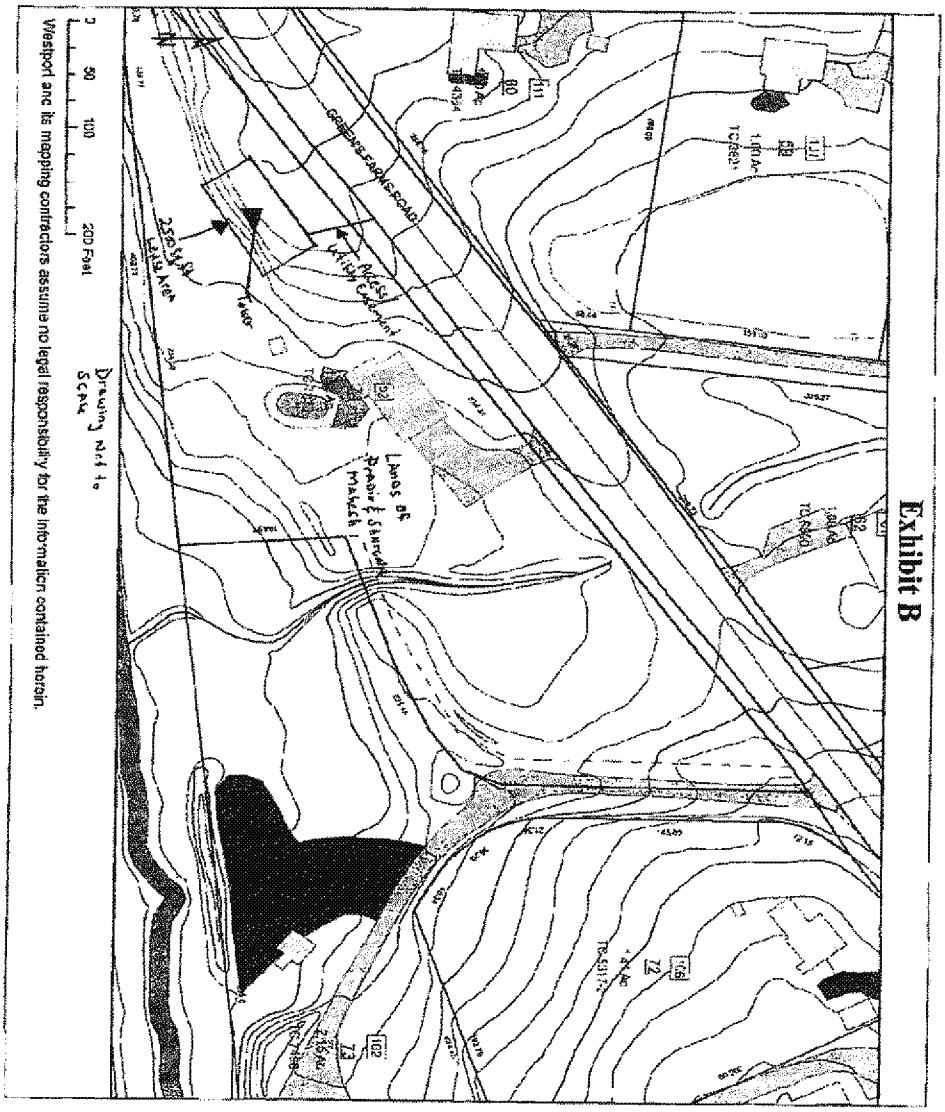
DESCRIPTION OF PROPERTY

That certain piece or parcel of land commonly known as 92 Greens Farms Road, Westport, Connecticut, Parcel ID E06 / 074, and more particularly described in that certain Statutory Warranty Deed dated June 1, 2004 between Jacqueline M. Zimkin, and Pradiv Mahesh and Sharuna Mahesh, as joint tenants with rights of survivorship, and recorded June 2, 2004 at O.R. Volume 2415 Page 002 by the Westport Town Clerk.

EXHIBIT 2

PREMISES

a) Real property comprised of approximately two thousand five hundred (2,500) square feet of land
b) Non – exclusive easement required to run utility lines and cables
c) Non – exclusive easement across Property for access



1. *This Exhibit may be replaced by a land survey of the Premises at Tenant's sole cost and expense, together with non-exclusive easements for utility lines and cables to service the Premises, and a non-exclusive easement for ingress and egress across Owner's Property to the Premises.*
2. *Setback of the Premises from the Owner's Property lines shall be the distance required by the applicable governmental authorities.*
3. *Width of access road, if any, shall be the width required by the applicable governmental authorities, including police and fire departments.*

Pires, Philip C.

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Monday, March 14, 2022 11:14 AM
To: Pires, Philip C.; Ball, David A.
Subject: FW: Westport Cemetery

[redacted]

From: Gestal, Dean <Dean.Gestal@ctcemeteries.org>
Sent: Tuesday, March 1, 2022 9:50 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Subject: Re: Westport Cemetery

Keith,
The Catholic Cemeteries are no longer interested in placing a cell tower on our property on Green Farms rd.
Good luck Keith with this ridiculous process with the town.
Cheers,
Dean Gestal
Director of Cemeteries

Get Outlook for iOS

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 1, 2022 8:50:21 AM
To: Gestal, Dean <Dean.Gestal@ctcemeteries.org>
Subject: Westport Cemetery

Good Morning Dean,
Per our conversation yesterday can you please send me an email confirming the cemetery is no longer pursuing a tower on its property on Greens Farms Rd in Westport.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473

Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 3/16/2022 12:27:09 PM
To: Pires, Philip C. [ppires@cohenandwolf.com]
Subject: RE: 92 GF

Thank you.

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Wednesday, March 16, 2022 11:08 AM
To: Ira Bloom <ibloom@berchemmoses.com>
Cc: Ball, David A. <DBall@cohenandwolf.com>
Subject: RE: 92 GF

Hi Ira,

Please see attached the redacted ground lease documents and the correspondence with the cemetery.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Thursday, March 3, 2022 3:56 PM
To: Ball, David A. <DBall@cohenandwolf.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Subject: 92 GF

David and Phil: Two requests: 1) Phil: Can you provide me with the email from Assumption Church indicating they are not making the cemetery available? 2) Months ago, you provided me with the redacted leases and options with the owner of 92. I cannot locate them now. Would you kindly send them to me again? (I was asked for both 1) and 2) by a member of the public, so I will be forwarding them...Just want you to know). Thank you. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

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ibloom@berchemmoses.com

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Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 3/24/2022 10:01:45 AM
To: Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: FW: Municipal request for rail property

David: Please see below. We seem to have an initial positive response from the DOT regarding the railway ROW area we have been looking at. It appears that the next step is for Tarpon to show them some plans. Before you do anything, however, can we speak to make sure we are properly coordinated? Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 1:26 PM
To: Ira Bloom <ibloom@berchemmoses.com>
Subject: FW: Municipal request for rail property

Favorable initial report from DOT regarding the cell tower, but it sounds like next steps may in large part rest with Tarpon. Should we check in with David?

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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communication is strictly prohibited. If you have received this communication in error, please promptly notify the sender by reply email and destroy the original message.

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, March 23, 2022 1:15 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Full plans would have to be drawn up and reviewed by the Office of Rail and Metro-North. Once those are reviewed and approved the Town would have to enter into an agreement with the State for the Tower.

Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 12:58 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

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Thank you – so what are the next steps in the process?

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

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http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, March 23, 2022 12:28 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Nick,

The Office of Rail completed the initial review of the proposed site. The cleared area off Hales Rd would probably be the best location for a cell tower. The only comment at this point was to try to keep the tower to one side and as far setback as possible to meet the required setbacks.

Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 12:11 PM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Cc: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

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Hi Julie – I have not seen anything come back on the engineering review, so I am just checking in for a status update. Thank you

Nick

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nbamonte@berchemmoses.com

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From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Friday, February 25, 2022 7:03 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>; Waugh, Kevin <Kevin.Waugh@ct.gov>; Kuljis, Yure E <Yure.Kuljis@ct.gov>
Subject: Re: Municipal request for rail property

Hi Nick-
Thank you for the additional information and photo. Kevin Waugh forwarded the two proposed locations for review and comments on 2/17/22 and as soon as the engineering review is completed Kevin will provide that information to you. Engineering review can take up to 30 days to complete however we estimate no greater than a three week turn time for this particular request.

Thank you and should you have any question please email either a Kevin or myself.

Thank you,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, February 24, 2022 5:41 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>
Subject: RE: Municipal request for rail property

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Kevin:

Good evening. It has been a week since we last connected so I am checking whether the Town can be of any further assistance at this point. The First Selectwoman recently scouted the suggested DOT properties from the Hillspoint Road overpass, and we visually confirmed that the Parcel D 06 023 000 accessway and surrounding area, which I highlighted in my prior email below, may indeed be conducive to siting a cell tower. Given the existing railway infrastructure and nearby high voltage transmission lines, we believe this location would be more discreet than the initially proposed residential location, and so we are hopeful that this location will be feasible for DOT. The residential site is only 1/4 mile away with nearly the same elevation, so cell coverage should be comparable.

For reference, this is a photo of the target DOT area from the Hillspoint Road overpass (extending from the cleared depression in the foreground to the gravel-staged, graded area in the background beyond the white pickup).



Happy to assist further. Thank you,

Nick

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Nicholas R. Bamonte
Sent: Thursday, February 17, 2022 3:09 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Municipal request for rail property

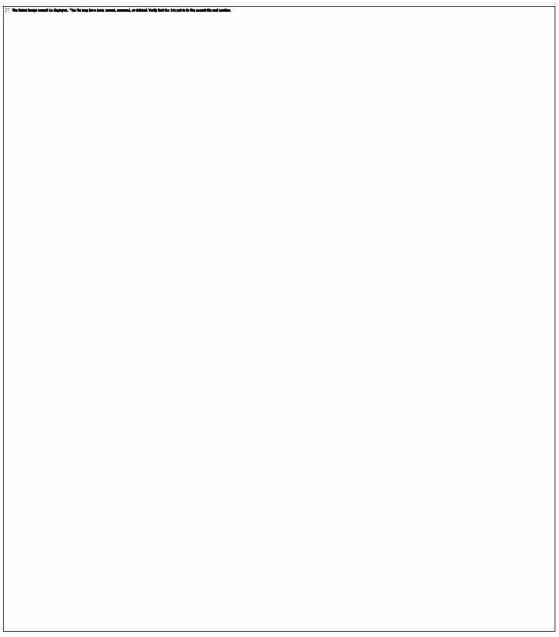
Kevin:

Yes of course, thank you for your prompt attention. This would be a full cell tower, not a small cell, and it is being proposed by Tarpon Towers I, LLC. If you have not run into them before, Tarpon is an infrastructure provider that constructs and then leases tower space to the cell providers. In this case, Tarpon has AT&T and Verizon lined up for the top two spots, so both providers will back Tarpon's eventual application to the Connecticut Siting Council for final approval once Tarpon has decided upon a site location. To date, no application has yet been with the Siting Council.

Tarpon currently intends to construct the tower at a residential property located at 92 Greens Farms Road in Westport, to the north of I-95 and the railway. At that elevation, the tower height is proposed at 124 feet. The reason Tarpon has not yet applied to the Siting Council for approval at that location is due to substantial opposition by nearby residents – since last fall, Tarpon has been making good faith efforts to work with the Town to identify a more acceptable location that also still serves the coverage needs of the providers.

Just until recently, we thought we had found a mutually agreeable alternative location on a commercial property, but that property owner has now withdrawn so we are left with the residential property at 92 Greens Farms. Which prompted us to reach out to DOT on the nearby railway properties, which we believe would be less offensive but comparable sites for the tower. Earlier this week we requested that Tarpon review the two rail properties for feasibility, but we have yet to hear back.

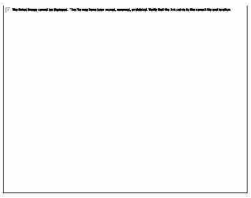
As far as siting within those properties, clearly it will depend on what is acceptable to DOT and what might work best for the cell coverage – but I will just call your attention to the area around an existing accessway off of Hales Road within State Parcel D 06 023 000 that may mitigate some site prep work:



I have attached the technical report provided by Tarpon last September, which provides a better sense of the mechanicals and associated infrastructure. I am happy to put you in contact with the attorney for Tarpon for ongoing questions and details, just let me know.

Please feel free to reach out at any time,

Nick



Nicholas R. Bamonte
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(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, February 17, 2022 2:15 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Municipal request for rail property

Nick,

Julie asked me to coordinate the review of the parcels you forwarded before. Could you give me a few more details about the type of cellular install you are looking to do? Would this be a full cell tower or a 5g small cell site? Is there a cellular company you are working with or is this a general inquiry?

As many details as you can provide at this stage will help with our engineering review.

Thanks,

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 15, 2022 8:15 AM
To: Nicholas R. Bamonte
Cc: Bergeron, Eric S; Vitale, John A.; Waugh, Kevin
Subject: RE: Municipal request for rail property

Hi Nick-
This is to confirm CTDOT RAIL is in receipt of your email inquiry on behalf of the Town of Westport and will review the two locations (Parcels C and D) for potential feasibility/usage as wireless tower locations within CTDOT's RR ROW. Please note it will take approximately 45 days for our office to respond back to you with this information. Should you have any question concerning this process, please email John Vitale, Rail Officer at john.vitale@ct.gov .

Generally, if it is determined a site is feasible for this purpose, CTDOT would enter into a lease directly with the cell provider, as opposed to enter into a lease with the municipality for sole purposes of utilizing the property to sublease to the cell provider. CTDOT currently has existing agreements with the major cell providers and additional sites can be added when requested/approved. However, CTDOT is open to discuss any arrangement the Town of Westport may wish to propose if it is mutually beneficial for the Town and the State and has no adverse impact on public transportation.

Thank you and we will do our best to get this information back to you as soon as possible for the Town of Westport's planning purposes.

Regards,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Monday, February 14, 2022 11:40 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Municipal request for rail property

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Good Morning Ms. Thomas,

I represent the Town of Westport and we are currently facing a cell tower proposal by in a residential area of town close to I-95 and the railway. Currently we are doing everything we can to try and locate more appropriate alternative sites in the nearby vicinity.

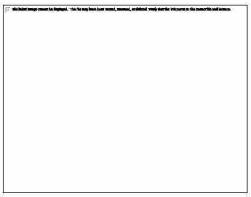
To that end, I understand that you are the supervisor for DOT railway property. The Town's wireless consultant has located at least two parcels of state-owned property along the railway that could potentially work for a tower:

Parcel D 06 023 000 - https://link.zixcentral.com/u/c18a7915/gnTJ-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

Parcel C 06 008 000 - https://link.zixcentral.com/u/8f35f527/4irM-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

I am aware that DOT, at least for portions of railway property, has at times entered into leases with municipalities. Is there any opportunity for Westport to similarly pursue something with DOT for purposes of this cell tower, or for the Town to facilitate an arrangement between DOT and the cell tower provider? Thanks for any input or ideas you can provide.

Nick



Nicholas R. Bamonte
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http://www.berchemmoses.com
nbamonte@berchemmoses.com

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CONSERVATION COMMISSION
TOWN HALL – 110 MYRTLE AVENUE
WESTPORT, CT 06880
P 203.341.1170 F 203.341.1088

DRAFT
MINUTES
WESTPORT CONSERVATION COMMISSION
JANUARY 31, 2022

The January 31, 2022 Special Meeting of the Westport Conservation Commission was called to order at 7:00 p.m. via Zoom.

ATTENDANCE

Commission Members:

Anna Rycenga, Chair
Paul Davis, Vice-Chair
Tom Carey, Secretary
Donald Bancroft
Paul Lobdell

Staff Members:

Alicia Mozian, Conservation Department Director
Colin Kelly, Conservation Analyst
Ira Bloom, Town Atty.

Applicants:

Phil Pires, Atty. with Cohen & Wolf
Dean Gustafson, Environmental Consultant
Douglas Roberts, Architect
Keith Coppins, Tarpon Towers

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 business days of the January 31, 2022 Special Meeting of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

_____
Alicia Mozian
Conservation Department Director

Notice is hereby given of a Special Meeting of the Westport Conservation Commission to be held on **Monday, January 31, 2022 at 7:00 p.m. via Zoom** to review and offer comments regarding a proposal by Tarpon Towers and AT&T to install an approximate 130 ft. tall cell phone tower and associated site improvements at **55 Greens Farms Rd.** with an alternative location at **92 Greens Farms Rd**. The proposal will be considered at each location as it relates to the Connecticut Inland Wetlands and Watercourses Act, and the Regulations for the Protection and Preservation of Inland Wetlands and Watercourses of the Town of Westport (IWW Regulations) and the Waterway Protection Line Ordinance (WPLO)

Ms. Rycenga noted for the record that the Connecticut Siting Council (CSC) has exclusive jurisdiction over cellular wireless communication facilities. This special public meeting is just in anticipation of filing an application with the CSC for a Certificate of Compatibility and Public Need for the construction, maintenance and operation of the telecommunications facility. The Conservation Commission is acting in an advisory capacity to provide input to the CSC.

All Conservation Commission members walked the sites in preparation for the meeting.

Ms. Rycenga submitted 18 photos of 55 & 92 Greens Farms Road dated 1/31/22 from her site walk into the record.

Ira Bloom, Town Atty. stated tonight's meeting is part of the process of an application to the CT Siting Council. The CSC does consider what the local authorities have to say, but we are only advisory. The CSC has the final decision. The comments received will impact the applicant's decision to place the town on either site. Mr. Bloom gave history that in 2014 the applicant (Tarpon Towers) pursued a tower at 92 Greens Farms Road. It was the Town's position that it is a bad land use practice siting a tower on a residential property. After 7 years, they came back. Several Town officials met with the applicant and reiterated comments from 2014. They discussed alternative sites including 55 Greens Farms Road. The Town also retained a consultant to look at the need and alternative sites. Tarpon Tower spoke with the owner of 55 Greens Farms Road including different locations on the property. Supposedly, where it is being proposed is the only place on the property where the owner would agree to having it. The Town has taken no position one or the other or any. The focus tonight is on 55 Greens Farms Road but there are 2 options. It will be up to the First Selectwoman to decide which site. An application has not been submitted to the CSC yet but will be submitted soon. He reminded the public that a public information meeting will be on February 8, 2022, which is another opportunity to provide comments.

Phil Pires, Atty. with Cohen & Wolf stated Tarpon Towers & AT&T are applicants, but Verizon will join in the application. A Technical Report was prepared for 92 Greens Farms Road. They have not done one yet for 55 Greens Farms Road nor have they entered into a lease agreement with the owner.

Douglas Roberts, Architect, described the project.

- 92 Greens Farms Road is not impacting any wetlands. The utilities will be underground. The Compound area is estimated to be 35' by 65' and sits on a roadway plateau created by the I-95 construction.
- 55 Greens Farms Road – they would look to extend the existing road. They would be crossing the wetland on a gravel road. The compound would have radio equipment, a back-up generator, surrounded by a fence and the utilities would be underground. The size of the compound has not yet been determined. It could be 35' by 65', but they are not sure.

Dean Gustafson, soil and wetland scientist, All-Points Technology, discussed activities at 55 Greens Farms Road and stated that all activities will be within the 75-foot upland review area. There will be 10,000 to 12,000 s.f. of work within the 75-foot upland review area. There will be tree removal. The direct wetland impact will be 600 to 800 s.f. with the road crossing. A portion of the access road is within the 100 year flood zone and will require compensatory storage. At 92 Greens Farms Road, the work will not result in any direct impact to the wetland and there would be approximately 2,000 s.f. of work within the 75-foot upland review area.

Mr. Carey asked what the footprint of the tower is and how deep the footings will need to be.

Mr. Roberts stated it would be a monopole. It would be 26 feet square with a 3-foot thick foundation and the footings would be 3 feet square and 6 feet deep. The rest of the compound would be gravel.

Mr. Carey asked about pouring the pad and what type of equipment would be needed.

Mr. Roberts stated they will bring in an excavator and concrete truck. They will pour the footing and set the steel. At 55 Greens Farms Road, they would need a pump truck because of the length of the accessway. The fuel source will be propane (two, 500 gallon above-ground tanks) or natural gas, if available.

Mr. Carey asked what the impact of flooding would be to the tower or is it constructed to withstand flooding conditions.

Mr. Roberts stated it is constructed to withstand flooding conditions.

Mr. Carey asked how a tower gets de-commissioned if the lease runs out or new technology arises.
Mr. Roberts stated the tower would be taken down by crane, the footings removed, and the site returned to its original condition.

Keith Coppins noted that with 92 Greens Farms Road they have signed a 5 year lease with the option of 6, 5 year renewals. At 55 Greens Farms Road, they have not signed a lease but are looking at a 5 year lease with the option of 9, 5 year renewals.

Mr. Carey asked which site has more wetlands impacts.

Mr. Gustafson stated 55 Greens Farms Road has direct wetlands impact compared with the minor activity at 92 Greens Farms Road.

Mr. Davis asked how the tower is connected to the utilities in the street.

Mr. Roberts stated that all utility lines will be underground. At 92 Greens Farms Road, there will be a 100 to 150-foot run. At 55 Greens Farms Road, it will be 600 to 700 feet. Some of this area will be through the wetlands.

Mr. Davis asked if there will be maintenance required.

Mr. Roberts stated yes and no. The utilities will be in a conduit.

Mr. Bancroft asked if the construction would get in the way of Muddy Brook and would it maintain itself during inclement weather.

Mr. Roberts stated they would not be crossing Muddy Brook.

Mr. Lobdell asked what is the impact to the wetland.

Mr. Gustafson stated they have not done a full impact analysis for either location. However, at 55 Greens Farms Road, there will be direct impact to the wetland finger for the access road and soil compaction in close proximity to the wetland. Mature vegetation will be lost. This is next to a perennial stream. The cemetery area has already been developed but then it makes the existing buffer even more important to save because of water quality and habitat value. At 92 Greens Farms Road, there is no direct wetland impact. A poor relic wetland exists that has minimal function and value. It is directly adjacent to I-95 on the ConDOT corridor. There are no or little short-term impacts. He noted the compound is monitored 24/7 from a remote location. There is very little human interaction with the site.

Ms. Rycenga stated she found it challenging to review this proposal without an environmental assessment. She questioned whether a feasible and prudent alternative existed. Could the tower/antenna be placed on the building. She asked if a visibility analysis was done for the site. She stated it would be required for the Siting Council. She asked about the number of trees that would have to be removed. Would there be any mitigation? She stated there is not enough information.

Atty. Pires stated that as documents are prepared, they will be made available. He stated that putting the tower on the building is not feasible. They are siting the tower on the site in the only location the owner will allow. Site maintenance people only go out 3 to 4 times a year to check that the fences are intact, do raking, etc. Carriers go out about once a month to check on equipment. The construction sequence would be done during the next design phase and managed by the Siting Council.
Mr. Gustafson addressed the number of trees to be removed that are 6-inch dbh or greater. At 55 Greens Farms Road, they estimate 12 within the 75-foot upland review area. At 92 Greens Farms Road, there would be 4 to 5 within the 75-foot upland review area. They will do a full impact analysis for each site and this will drive the mitigation.

Ms. Rycenga noted that one site is residential and the other is commercial. However, this is the Conservation Commission, so the focus is on the wetlands issues. The Commission may not have enough information to decide. She asked about the time-frame for the CT Siting Council to review the application and render a decision.

Mr. Lobdell asked if there is an opportunity between the Town of Westport and the CT Siting Council to discuss/ask questions.

Atty. Bloom stated the Town will have an opportunity to offer comments on both properties, but he feels this pre-application time is a better time receive recommendations/comments.

Ms. Mozian reviewed photos of the sites and the site access. She asked questions related to site construction methodology. She asked about alternatives such as tower sharing, adding antennas to other locations instead building a new tower adding antennas to existing poles on I-95 or adding antennas to 55 Greens Farms Road or a church steeple. She questioned the wind load of the tower design with regard to storm impacts like hurricanes.

Mr. Roberts stated that the chain-link fence will be outside the 100-year flood. It would allow for the free-flow of water. For the site design at 55 Greens Farms Road, they are still working on it. The tower would be designed to meet the State Building Code and storms will be taken into account including a 55 mph concurrent wind with a ½-inch ice build-up.

Atty. Pires stated antennas will not satisfy the coverage needs. They have reached out to the DOT for other poles in their right of way but have not been authorized. He stated the church steeple would not work as it is not tall enough and is too narrow.

Mr. Roberts stated steeples are limited to capacity based on space.

Atty. Pires indicated that they have not found them to be a viable option.

Ms. Mozian asked about the compensatory flood storage and questioned where on the property it could be accommodated.

Mr. Roberts stated they do not have a final design.

Ms. Mozian asked whether they have determined the ownership of the accessway at 55 Greens Farms Road since it appears it belongs to the church.

Atty. Pires indicated they are still working to identify this.

Ms. Mozian reviewed a 1979 Court Stipulated Settlement that refers to a landscape plan that says the existing woods in the rear and northeast corner of the property are to remain on 55 Greens Farms Road. She indicated that there is a need to know how binding that Settlement is because that area is where the tower is proposed.

Mr. Davis noted that according to the CT Siting Council website, there are 24 sites in Westport with cell service equipment. There are 5 monopoles with4 on commercial property. He would like to see the maintenance records on these to get an idea of what the wetland impact would be especially with regards to the wetland crossing.

Mr. Coppins stated he can only speak to the ones he is in chare of. He will only go out on an as-needed basis.

Ms. Mozian asked if all the towers are on commercial or residential properties.

Atty. Bloom stated 4 of the 5 towers are in commercial areas. The tower on Sunny Lane is in a residential zone. It was a home but is not now. The other 20 locations are in both residential and commercial properties of antennas and poles. The Town has retained its own expert, Dave Maxim. He will be at the Public Information Meeting on February 8, 2022. The Siting Council evaluates need and explores feasible and prudent alternatives.

Ms. Rycenga read the name and address of all those who submitted letters into the record, including:

Date	Name	Address	Support/Opposed
1/27/2022	Mar Aftab	6 Valley Road	Support
1/27/2022	Melissa Geraldez	High Street	Question Health Risks
1/27/2022	Christopher Buckley	27 Guyer Road	Opposed - Wetlands
1/28/2022	Don Bergmann	32 Sherwood Drive	Opposed - Visually
1/29/2022	Piera Panozzo	22 Guyer Road	Opposed - Concerns
1/29/2022	Phil Lo Presti	23 High Street	Opposed
1/30/2022	Joe & Carmen Crosby	26 Guyer Road	Opposed
1/30/2022	Brian & Jodi Carter	28 Guyer Road	Opposed
1/30/2022	Stacie Shamie	6 Overlook Road	Opposed
1/30/2022	Elizabeth Lomanto	23 Guyer Road	Opposed
1/31/2022	Debra Shaughnessy	38 Guyer Road	Opposed
1/31/2022	Jennifer Driscoll	11 High Street	Opposed
1/31/2022	Mark Ciano	27 Guyer Road	Opposed
1/28/2022	Joanna Dobransky	14 High Street	Opposed
1/28/2022	Leonard Ances	44 Guyer Road	Support
1/28/2022	Sharon Wylie	High Street	Opposed
1/31/2022	Allyson Greifenberger	no address	Opposed
1/31/2022	Carrie Howard	137 Long Lots Road	Opposed
1/31/2022	Carol Steinman	21 Valley Road	Concern with culvert
1/31/2022	James Bairaktaris	52 Hales Court	Questions
1/31/2022	Lori Siegel	10 Quintard Place	Appalled about proposal

*** The Letter Written by Mark Ciano Was Also Signed Supporting His Comments By The Following Individuals

1/31/2022	Mark & Christopher Buckley	27 Guyer Road	Opposed
1/31/2022	Jonathan & Patricia Whitbourne	41 Valley Road	Opposed
1/31/2022	Elizabeth & Salvatore Lomanto	23 Guyer Road	Opposed
1/31/2022	Emily Lomanto	23 Guyer Road	Opposed
1/31/2022	Elizabeth F. Lamanto	23 Guyer Road	Opposed
1/31/2022	Charles Lomanto	23 Guyer Road	Opposed
1/31/2022	Hillary & Daniel Cummings	95 Valley Road	Opposed
1/31/2022	Brian & Jodi Carter	28 Guyer Road	Opposed
1/31/2022	Mildred Bunche	29 Guyer Road	Opposed
1/31/2022	Steven & Shari Goldstein	4 Lakeview Road	Opposed
1/31/2022	Kara & Michael Sullivan	62 Valley Road	Opposed
1/31/2022	Patrick & Elaine O'Keefe	31 Guyer Road	Opposed
1/31/2022	Tony Lau	37 Valley Road	Opposed
1/31/2022	Phil & Noelle Lo Presti	234 High Street	Opposed
1/31/2022	Piera Panozzo	22 Guyer Road	Opposed
1/31/2022	Noah & Weather Hammond	79 Valley Road	Opposed
1/31/2022	Joanna & Christopher Dobransky	14 High Street	Opposed
1/31/2022	Betsy & Mehdi Sunderji	55 Valley Road	Opposed
1/31/2022	Melissa & Ernesto Giraldez	17 High Street	Opposed
1/31/2022	Terrance & Susan Smith	2 Lakeview Road	Opposed
1/31/2022	Gavin & Sheri McMahon	35 Guyer Road	Opposed
1/31/2022	Stephen Silver	21 High Street	Opposed
1/31/2022	Jennifer & Ryan Driscoll	11 High Street	Opposed
1/31/2022	Suzanne Adams	8 Lakeview Road	Opposed
1/31/2022	David & Deborah Robicheau	7 High Street	Opposed
1/31/2022	Debra Shaughnessy	38 Guyer Road	Opposed
1/31/2022	Carmen & Joe Crosby	26 Guyer Road	Opposed
1/31/2022	Lisa & Sean Taylor	10 Guyer Road	Opposed
1/31/2022	Sharon & Victoria Wylie	10 High Street	Opposed
1/31/2022	Hugh & Alison Freeland	25 Guyer Road	Opposed
1/31/2022	Robert Weitz	16 Guyer Road	Opposed
1/31/2022	Todd & Maeke Paul	29 High Street	Opposed
1/31/2022	Brittany Coale	51 Greens Farms Road	Opposed
1/31/2022	Matt & Jessica Smith	36 Guyer Road	Opposed
1/31/2022	Kelly & James Galante	37 High Street	Opposed
1/31/2022	Paul & Maria Wichmann	1 Gonczy Road	Opposed
1/31/2022	Arista Baltronis	18 Guyer Road	Opposed
1/31/2022	Kimberly Weinstein	41 Guyer Road	Opposed
1/31/2022	Lauren & Neil MacNeill	29 Valley Road	Opposed
1/31/2022	Barbara & Richard Vomkahl	30 High Street	Opposed

1/31/2022	Shareef & Natalie Rabaa	69 High Valley Road	Opposed
1/31/2022	Barbara J. Buckley	17 Guyer Road	Opposed

Ms. Rycenga opened the meeting to live testimony and asked members of the public to confine their comments to wetlands issues.

Jeff Goldenberg, 17 Valley Road, expressed opposition to the construction. He noted that flooding is bad and is concerned that it will get worse if there is any manipulation of the wetlands and watercourse.

Scott Mikuszewski, neighbor of 92 Greens Farms Road, noted he understands that the Commission is charged with looking at the wetland impact but the neighbors around 92 Greens Farms Road are also concerned. Why should it be on a residential property rather than a commercial property? A cell tower is more suitable on a commercial property. Three houses in the area just changed hands and were caught unaware of this as a possibility so close to their homes. This is gut wrenching news but more suitable on commercial property.

Leonard Ances, 444 Guyer Road, indicated he supports the project because the cell service is very bad especially during a storm event.

Noah Hammond, 79 Valley Road, RTM District 4, suggested that given the purview of the Conservation Commission he could not imagine that 55 Greens Farms Road would be the preferred site.

Chris Buckley, 27 Guyer Road, noted his letter focused on the adverse impact to the wetlands. He questioned the impact the Stipulated Settlement Agreement provision that states the woods need to remain.

Atty. Bloom will review the document.

There was no further public comment.

Ms. Rycenga asked if the applicant would provide more information.

Atty. Bloom acknowledged there are a lot of open questions but questioned when it is realistic for the Commission to receive more information. Weeks? Months?

Atty. Pires stated he is unsure of the timing on his end. He is okay with providing more information as they get it.

Ms. Rycenga asked if the Commission should give recommendations based on what has been provided thus far.

Atty. Pires indicated that yes, they would like to get some feedback tonight, but they cannot get back to the Commission in a timely manner.

Atty. Bloom suggested the Commission keep the meeting open and meet again.

Ms. Rycenga asked what distance to the closest home from 55 Greens Farms Road is. She and staff estimated between 200 to 250 feet.

Mr. Roberts stated he is unsure, but he believes the 200 to 250 feet is a close estimate.

Ms. Rycenga asked the Commission members what they think.

Mr. Carey stated he has no objection to keeping the meeting open. He does not see 55 Green Farms Road being a good site under any circumstances. He noted that every portion of the work is within the

wetland or upland review area. Based on the information provided, he does not see a way for the Commission to recommend a cell tower in this location. He can empathize with the neighbors of 92 Greens Farms Road but that is not his job tonight.

Mr. Davis agreed with Atty. Bloom in that the Commission needs to keep it open. He would not want to pre-judge, but he agrees with Mr. Carey from a wetlands perspective. It is too much intrusion into the wetlands at 55 Greens Farms Road.

Mr. Lobdell agreed that he wants to leave the hearing open to get more information. He does not think he has enough information, therefore, he cannot make a decision.

Mr. Bancroft stated he needs more information. He noted that it is unfortunate that wetlands are involved in all aspects of the design at 55 Greens Farms Road.

Ms. Rycenga noted she is empathetic, but the main focus of the Conservation Commission is wetlands, watercourses and natural resources. Other locations instead of 55 Greens Farms Road should be explored. 92 Greens Farms Road has zero impact to the wetlands. She feels like a survey with the exact location and resources outlined is needed.

The meeting was continued to February 28, 2022 at 7:00 p.m.

Motion:	**Rycenga**		**Second:**	**Davis**	
Ayes:	**Rycenga, Davis, Bancroft, Carey, Lobdell**				
Nayes:	**None**	**Abstentions:**	**None**	**Vote:**	**5:0:0**

The January 31, 2022 Special Meeting of the Westport Conservation Commission adjourned at 9:18 p.m.

Motion:	**Carey**		**Second:**	**Lobdell**	
Ayes:	**Carey, Lobdell, Bancroft, Davis, Rycenga**				
Nayes:	**None**	**Abstentions:**	**None**	**Vote:**	**5:0:0**

Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 4/8/2022 11:06:56 AM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Thursday, March 31, 2022 9:48 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Kevin,
Thanks for responding and let me clarify so we are all on the same page.
Tarpon Towers II and AT&T are the applicants in the CSC application process. I (Keith Coppins with ARX Wireless/Phoenix Partnership) am working with Tarpon Towers to get the site approved.
Ira Bloom from Berchem and Moses is the town law firm representing the Town of Westport.
I am you primary point of contact and will act on behalf of Tarpon Towers II who is the tower developer in this application.

I have a team of a few folks that will meet on my behalf to determine site access, wetland review etc.
The Agreement will be with Tarpon Towers II, LLC.
My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, March 31, 2022 9:34 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Westport CT Cell Tower

I guess I am a little confused on who I should be dealing with directly with this project. I have been getting communications from the Town of Westport, ARX Wireless, and Berchem Moses (your attorney's office I am assuming).

At this point I think we need to setup a meeting with all the parties involved and work out who the agreement will be with (the Town or otherwise), who will be managing the site, and who should be the point of contact moving forward.

Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Evening Kevin,
In speaking with my attorney's, they mentioned someone at he DOT is communicating with the Town of Westport representatives and said the DOT is interested in moving forward with a possible site along the ROW. I have not heard anything back from you since February and am wondering if this is correct. If this is true please let me know what our next steps will be.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Tuesday, March 15, 2022 1:32 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Afternoon Kevin,
I am just checking in again to see if have any updates on the property that I sent to you in February.
Thanks

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 9, 2022 2:06 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower
Importance: High

Kevin,
Just checking on the status of the properties that we sent to you.
Please let me know if you have any updates.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Morning Kevin,
I am just following up on the email below. Do you have any information that you can provide?

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Tuesday, February 22, 2022 9:25 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

I can forward your request for a cell tower to our engineering unit for review, but I need some more details before they can start the review. Will this be a full cellular tower or a small cell 5G antenna site? Would the cellular tower be attached to an existing structure or a new tower installed? What would the approximate height requirement of any tower be? Any details you have at this point would be helpful for the review to see if a cell site is viable at this location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

Kevin

Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation

4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 4/8/2022 2:46:18 PM
To: Ball, David A. [dball@cohenandwolf.com]; Pires, Philip C. [ppires@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: FW: Municipal request for rail property

David and Phil: Thanks for the call earlier. I ask Nick to contact Kevin Waugh at the DOT, since Kevin was not responding to you. Below is Kevin's email to Nick at 12:41 today. I know this is slow, and you reported that AT&T was getting impatient, but, after all, they have been waiting for a long period, and my hope is still that this DOT location is preferable and can be supported by the town. My hope is that Keith can try Kevin again after Kevin's return on April 13 and continue this process. Thank you. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Date: Friday, April 8, 2022 at 2:17 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: Re: Municipal request for rail property

Kevin:

Understood and thank you, I will report that to the Town.

Nick

BERCHEM MOSES PC

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Date: Friday, April 8, 2022 at 12:41 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Re: Municipal request for rail property

Nick,

I am out of the office until the 13th. We completed the review of the potential location and said the area to the south of the tracks that is cleared is the best place. I did request a full set of plans be drawn up to be reviewed by our engineering unit. I will work with the tower company directly. Please note that our review and licensing process is somewhat lengthy so it will be a while until they will get a license to construct.

Kevin

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Friday, April 8, 2022 12:19:23 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: Re: Municipal request for rail property

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Kevin:

Just left you a lengthy voicemail as I understand there may be some confusion about who is doing what here. We are the town attorneys for Westport and are just trying to facilitate the discussion between DOT and Tarpon Towers, the private cell tower company that wants to put a tower up right next to a house in Westport. This is very important to the town since we would rather the tower go next to the rail instead of in the middle of a residential area. At this point we are running out of time. Please give me a call as soon as you can. Thank you,

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, March 23, 2022 1:15:09 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Full plans would have to be drawn up and reviewed by the Office of Rail and Metro-North. Once those are reviewed and approved the Town would have to enter into an agreement with the State for the Tower.

Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
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Thank you – so what are the next steps in the process?

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Nick,

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Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 12:11 PM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Cc: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

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Hi Julie – I have not seen anything come back on the engineering review, so I am just checking in for a status update. Thank you

Nick

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From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Friday, February 25, 2022 7:03 AM

To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>; Waugh, Kevin <Kevin.Waugh@ct.gov>; Kuljis, Yure E <Yure.Kuljis@ct.gov>
Subject: Re: Municipal request for rail property

Hi Nick-
Thank you for the additional information and photo. Kevin Waugh forwarded the two proposed locations for review and comments on 2/17/22 and as soon as the engineering review is completed Kevin will provide that information to you. Engineering review can take up to 30 days to complete however we estimate no greater than a three week turn time for this particular request.

Thank you and should you have any question please email either a Kevin or myself.

Thank you,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, February 24, 2022 5:41 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>
Subject: RE: Municipal request for rail property

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Kevin:

Good evening. It has been a week since we last connected so I am checking whether the Town can be of any further assistance at this point. The First Selectwoman recently scouted the suggested DOT properties from the Hillspoint Road overpass, and we visually confirmed that the Parcel D 06 023 000 accessway and surrounding area, which I highlighted in my prior email below, may indeed be conducive to siting a cell tower. Given the existing railway infrastructure and nearby high voltage transmission lines, we believe this location would be more discreet than the initially proposed residential location, and so we are hopeful that this location will be feasible for DOT. The residential site is only 1/4 mile away with nearly the same elevation, so cell coverage should be comparable.

For reference, this is a photo of the target DOT area from the Hillspoint Road overpass (extending from the cleared depression in the foreground to the gravel-staged, graded area in the background beyond the white pickup).



Happy to assist further. Thank you,

Nick

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Sent: Thursday, February 17, 2022 3:09 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Municipal request for rail property

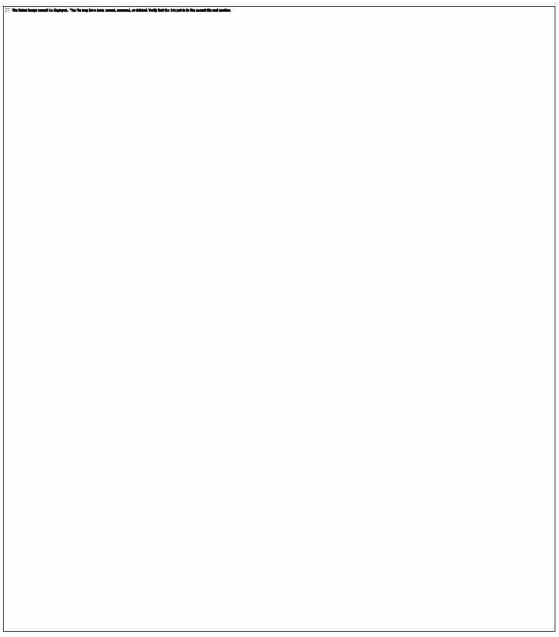
Kevin:

Yes of course, thank you for your prompt attention. This would be a full cell tower, not a small cell, and it is being proposed by Tarpon Towers I, LLC. If you have not run into them before, Tarpon is an infrastructure provider that constructs and then leases tower space to the cell providers. In this case, Tarpon has AT&T and Verizon lined up for the top two spots, so both providers will back Tarpon's eventual application to the Connecticut Siting Council for final approval once Tarpon has decided upon a site location. To date, no application has yet been with the Siting Council.

Tarpon currently intends to construct the tower at a residential property located at 92 Greens Farms Road in Westport, to the north of I-95 and the railway. At that elevation, the tower height is proposed at 124 feet. The reason Tarpon has not yet applied to the Siting Council for approval at that location is due to substantial opposition by nearby residents – since last fall, Tarpon has been making good faith efforts to work with the Town to identify a more acceptable location that also still serves the coverage needs of the providers.

Just until recently, we thought we had found a mutually agreeable alternative location on a commercial property, but that property owner has now withdrawn so we are left with the residential property at 92 Greens Farms. Which prompted us to reach out to DOT on the nearby railway properties, which we believe would be less offensive but comparable sites for the tower. Earlier this week we requested that Tarpon review the two rail properties for feasibility, but we have yet to hear back.

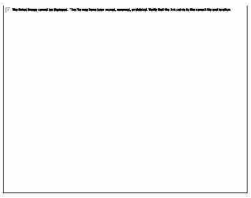
As far as siting within those properties, clearly it will depend on what is acceptable to DOT and what might work best for the cell coverage – but I will just call your attention to the area around an existing accessway off of Hales Road within State Parcel D 06 023 000 that may mitigate some site prep work:



I have attached the technical report provided by Tarpon last September, which provides a better sense of the mechanicals and associated infrastructure. I am happy to put you in contact with the attorney for Tarpon for ongoing questions and details, just let me know.

Please feel free to reach out at any time,

Nick



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Sent: Thursday, February 17, 2022 2:15 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Municipal request for rail property

Nick,

Julie asked me to coordinate the review of the parcels you forwarded before. Could you give me a few more details about the type of cellular install you are looking to do? Would this be a full cell tower or a 5g small cell site? Is there a cellular company you are working with or is this a general inquiry?

As many details as you can provide at this stage will help with our engineering review.

Thanks,

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 15, 2022 8:15 AM
To: Nicholas R. Bamonte
Cc: Bergeron, Eric S; Vitale, John A.; Waugh, Kevin
Subject: RE: Municipal request for rail property

Hi Nick-
This is to confirm CTDOT RAIL is in receipt of your email inquiry on behalf of the Town of Westport and will review the two locations (Parcels C and D) for potential feasibility/usage as wireless tower locations within CTDOT's RR ROW. Please note it will take approximately 45 days for our office to respond back to you with this information. Should you have any question concerning this process, please email John Vitale, Rail Officer at john.vitale@ct.gov .

Generally, if it is determined a site is feasible for this purpose, CTDOT would enter into a lease directly with the cell provider, as opposed to enter into a lease with the municipality for sole purposes of utilizing the property to sublease to the cell provider. CTDOT currently has existing agreements with the major cell providers and additional sites can be added when requested/approved. However, CTDOT is open to discuss any arrangement the Town of Westport may wish to propose if it is mutually beneficial for the Town and the State and has no adverse impact on public transportation.

Thank you and we will do our best to get this information back to you as soon as possible for the Town of Westport's planning purposes.

Regards,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Monday, February 14, 2022 11:40 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Municipal request for rail property

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Good Morning Ms. Thomas,

I represent the Town of Westport and we are currently facing a cell tower proposal by in a residential area of town close to I-95 and the railway. Currently we are doing everything we can to try and locate more appropriate alternative sites in the nearby vicinity.

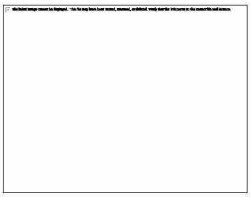
To that end, I understand that you are the supervisor for DOT railway property. The Town's wireless consultant has located at least two parcels of state-owned property along the railway that could potentially work for a tower:

Parcel D 06 023 000 - https://link.zixcentral.com/u/c18a7915/gnTJ-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

Parcel C 06 008 000 - https://link.zixcentral.com/u/8f35f527/4irM-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

I am aware that DOT, at least for portions of railway property, has at times entered into leases with municipalities. Is there any opportunity for Westport to similarly pursue something with DOT for purposes of this cell tower, or for the Town to facilitate an arrangement between DOT and the cell tower provider? Thanks for any input or ideas you can provide.

Nick



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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 4/8/2022 3:54:33 PM
To: Ira Bloom [ibloom@berchemmoses.com]; Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Municipal request for rail property

Hi Ira,

Thanks for passing this along. He has not asked us for plans. He said that we needed to have a meeting with DOT – which is needed before we can develop any plans so that we understand where the potential tower would be located on the DOT property. We told him we were available to meet whenever it worked for DOT, but he never responded. That was some time ago. Then, after David and I spoke with you this morning, I emailed Kevin today at 11:07 a.m. Although he emailed Nick today, he still hasn't responded to me. Hopefully, he will get back to us next week.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, April 8, 2022 2:46 PM
To: Ball, David A. <DBall@cohenandwolf.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: FW: Municipal request for rail property

David and Phil: Thanks for the call earlier. I ask Nick to contact Kevin Waugh at the DOT, since Kevin was not responding to you. Below is Kevin's email to Nick at 12:41 today. I know this is slow, and you reported that AT&T was getting impatient, but, after all, they have been waiting for a long period, and my hope is still that this DOT location is preferable and can be supported by the town. My hope is that Keith can try Kevin again after Kevin's return on April 13 and continue this process. Thank you. Ira

BERCHEM MOSES PC
Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com





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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Date: Friday, April 8, 2022 at 2:17 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: Re: Municipal request for rail property

Kevin:

Understood and thank you, I will report that to the Town.

Nick



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Berchem Moses PC



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Kevin

Kevin Waugh
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(860)689-3827

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Sent: Friday, April 8, 2022 12:19:23 PM
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Kevin:

Just left you a lengthy voicemail as I understand there may be some confusion about who is doing what here. We are the town attorneys for Westport and are just trying to facilitate the discussion between DOT and Tarpon Towers, the private cell tower company that wants to put a tower up right next to a house in Westport. This is very important to the town since we would rather the tower go next to the rail instead of in the middle of a residential area. At this point we are running out of time. Please give me a call as soon as you can. Thank you,

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Thank you – so what are the next steps in the process?

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Hi Julie – I have not seen anything come back on the engineering review, so I am just checking in for a status update. Thank you

Nick

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Sent: Friday, February 25, 2022 7:03 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>; Waugh, Kevin <Kevin.Waugh@ct.gov>; Kuljis, Yure E <Yure.Kuljis@ct.gov>
Subject: Re: Municipal request for rail property

Hi Nick-
Thank you for the additional information and photo. Kevin Waugh forwarded the two proposed locations for review and comments on 2/17/22 and as soon as the engineering review is completed Kevin will provide that information to you. Engineering review can take up to 30 days to complete however we estimate no greater than a three week turn time for this particular request.

Thank you and should you have any question please email either a Kevin or myself.

Thank you,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, February 24, 2022 5:41 PM

To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>
Subject: RE: Municipal request for rail property

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Kevin:

Good evening. It has been a week since we last connected so I am checking whether the Town can be of any further assistance at this point. The First Selectwoman recently scouted the suggested DOT properties from the Hillspoint Road overpass, and we visually confirmed that the Parcel D 06 023 000 accessway and surrounding area, which I highlighted in my prior email below, may indeed be conducive to siting a cell tower. Given the existing railway infrastructure and nearby high voltage transmission lines, we believe this location would be more discreet than the initially proposed residential location, and so we are hopeful that this location will be feasible for DOT. The residential site is only 1/4 mile away with nearly the same elevation, so cell coverage should be comparable.

For reference, this is a photo of the target DOT area from the Hillspoint Road overpass (extending from the cleared depression in the foreground to the gravel-staged, graded area in the background beyond the white pickup).



Happy to assist further. Thank you,

Nick

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
Direct: (203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Nicholas R. Bamonte
Sent: Thursday, February 17, 2022 3:09 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Municipal request for rail property

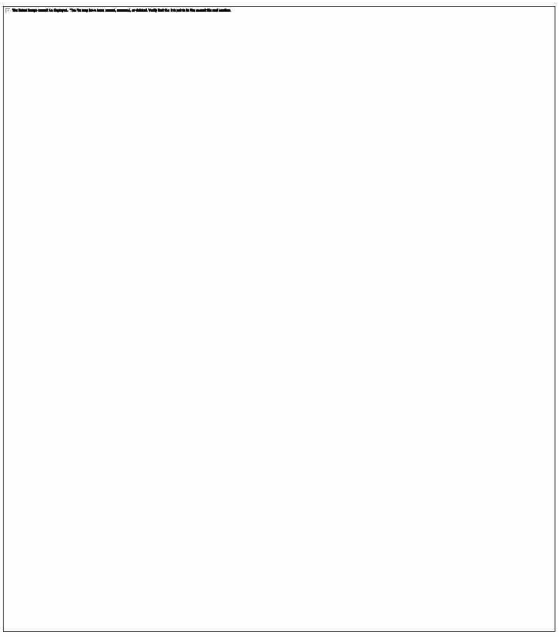
Kevin:

Yes of course, thank you for your prompt attention. This would be a full cell tower, not a small cell, and it is being proposed by Tarpon Towers I, LLC. If you have not run into them before, Tarpon is an infrastructure provider that constructs and then leases tower space to the cell providers. In this case, Tarpon has AT&T and Verizon lined up for the top two spots, so both providers will back Tarpon's eventual application to the Connecticut Siting Council for final approval once Tarpon has decided upon a site location. To date, no application has yet been with the Siting Council.

Tarpon currently intends to construct the tower at a residential property located at 92 Greens Farms Road in Westport, to the north of I-95 and the railway. At that elevation, the tower height is proposed at 124 feet. The reason Tarpon has not yet applied to the Siting Council for approval at that location is due to substantial opposition by nearby residents – since last fall, Tarpon has been making good faith efforts to work with the Town to identify a more acceptable location that also still serves the coverage needs of the providers.

Just until recently, we thought we had found a mutually agreeable alternative location on a commercial property, but that property owner has now withdrawn so we are left with the residential property at 92 Greens Farms. Which prompted us to reach out to DOT on the nearby railway properties, which we believe would be less offensive but comparable sites for the tower. Earlier this week we requested that Tarpon review the two rail properties for feasibility, but we have yet to hear back.

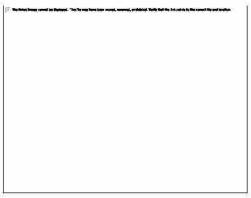
As far as siting within those properties, clearly it will depend on what is acceptable to DOT and what might work best for the cell coverage – but I will just call your attention to the area around an existing accessway off of Hales Road within State Parcel D 06 023 000 that may mitigate some site prep work:



I have attached the technical report provided by Tarpon last September, which provides a better sense of the mechanicals and associated infrastructure. I am happy to put you in contact with the attorney for Tarpon for ongoing questions and details, just let me know.

Please feel free to reach out at any time,

Nick



Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, February 17, 2022 2:15 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Municipal request for rail property

Nick,

Julie asked me to coordinate the review of the parcels you forwarded before. Could you give me a few more details about the type of cellular install you are looking to do? Would this be a full cell tower or a 5g small cell site? Is there a cellular company you are working with or is this a general inquiry?

As many details as you can provide at this stage will help with our engineering review.

Thanks,

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 15, 2022 8:15 AM
To: Nicholas R. Bamonte
Cc: Bergeron, Eric S; Vitale, John A.; Waugh, Kevin
Subject: RE: Municipal request for rail property

Hi Nick-
This is to confirm CTDOT RAIL is in receipt of your email inquiry on behalf of the Town of Westport and will review the two locations (Parcels C and D) for potential feasibility/usage as wireless tower locations within CTDOT's RR ROW. Please note it will take approximately 45 days for our office to respond back to you with this information. Should you have any question concerning this process, please email John Vitale, Rail Officer at john.vitale@ct.gov .

Generally, if it is determined a site is feasible for this purpose, CTDOT would enter into a lease directly with the cell provider, as opposed to enter into a lease with the municipality for sole purposes of utilizing the property to sublease to the cell provider. CTDOT currently has existing agreements with the major cell providers and additional sites can be added when requested/approved. However, CTDOT is open to discuss any arrangement the Town of Westport may wish to propose if it is mutually beneficial for the Town and the State and has no adverse impact on public transportation.

Thank you and we will do our best to get this information back to you as soon as possible for the Town of Westport's planning purposes.

Regards,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Monday, February 14, 2022 11:40 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Municipal request for rail property

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Good Morning Ms. Thomas,

I represent the Town of Westport and we are currently facing a cell tower proposal by in a residential area of town close to I-95 and the railway. Currently we are doing everything we can to try and locate more appropriate alternative sites in the nearby vicinity.

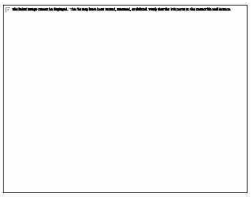
To that end, I understand that you are the supervisor for DOT railway property. The Town's wireless consultant has located at least two parcels of state-owned property along the railway that could potentially work for a tower:

Parcel D 06 023 000 - https://link.zixcentral.com/u/c18a7915/gnTJ-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

Parcel C 06 008 000 - https://link.zixcentral.com/u/8f35f527/4irM-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

I am aware that DOT, at least for portions of railway property, has at times entered into leases with municipalities. Is there any opportunity for Westport to similarly pursue something with DOT for purposes of this cell tower, or for the Town to facilitate an arrangement between DOT and the cell tower provider? Thanks for any input or ideas you can provide.

Nick



Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 4/8/2022 3:56:13 PM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 11:07 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Thursday, March 31, 2022 9:48 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Kevin,
Thanks for responding and let me clarify so we are all on the same page.
Tarpon Towers II and AT&T are the applicants in the CSC application process. I (Keith Coppins with ARX Wireless/Phoenix Partnership) am working with Tarpon Towers to get the site approved.
Ira Bloom from Berchem and Moses is the town law firm representing the Town of Westport.
I am you primary point of contact and will act on behalf of Tarpon Towers II who is the tower developer in this application.
I have a team of a few folks that will meet on my behalf to determine site access, wetland review etc.
The Agreement will be with Tarpon Towers II, LLC.
My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, March 31, 2022 9:34 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Westport CT Cell Tower

I guess I am a little confused on who I should be dealing with directly with this project. I have been getting communications from the Town of Westport, ARX Wireless, and Berchem Moses (your attorney's office I am assuming).

At this point I think we need to setup a meeting with all the parties involved and work out who the agreement will be with (the Town or otherwise), who will be managing the site, and who should be the point of contact moving forward.

Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Good Evening Kevin,
In speaking with my attorney's, they mentioned someone at he DOT is communicating with the Town of Westport representatives and said the DOT is interested in moving forward with a possible site along the ROW. I have not heard anything back from you since February and am wondering if this is correct. If this is true please let me know what our next steps will be.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Tuesday, March 15, 2022 1:32 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Afternoon Kevin,
I am just checking in again to see if have any updates on the property that I sent to you in February.
Thanks

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 9, 2022 2:06 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower
Importance: High

Kevin,
Just checking on the status of the properties that we sent to you.
Please let me know if you have any updates.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Morning Kevin,
I am just following up on the email below. Do you have any information that you can provide?

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Tuesday, February 22, 2022 9:25 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

I can forward your request for a cell tower to our engineering unit for review, but I need some more details before they can start the review. Will this be a full cellular tower or a small cell 5G antenna site? Would the cellular tower be attached to an existing structure or a new tower installed? What would the approximate height requirement of any tower be? Any details you have at this point would be helpful for the review to see if a cell site is viable at this location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

Kevin

Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you

Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 4/8/2022 4:51:00 PM
To: Pires, Philip C. [ppires@cohenandwolf.com]; Ball, David A. [dball@cohenandwolf.com]
CC: Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Municipal request for rail property
Flag: Flag for follow up

Thanks Phil. I understand that this is getting ridiculous, but maybe you could try him on the 13th and maybe remind him that "Nick B from the Westport Town Attorney's office asked us to contact you directly…" Something like that. Maybe it will move him potentially. I appreciate your patience on this. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 3:55 PM
To: Ira Bloom <ibloom@berchemmoses.com>; Ball, David A. <DBall@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Hi Ira,

Thanks for passing this along. He has not asked us for plans. He said that we needed to have a meeting with DOT – which is needed before we can develop any plans so that we understand where the potential tower would be located on the DOT property. We told him we were available to meet whenever it worked for DOT, but he never responded. That was some time ago. Then, after David and I spoke with you this morning, I emailed Kevin today at 11:07 a.m. Although he emailed Nick today, he still hasn't responded to me. Hopefully, he will get back to us next week.

Phil

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Ira Bloom <ibloom@berchemmoses.com>
Sent: Friday, April 8, 2022 2:46 PM
To: Ball, David A. <DBall@cohenandwolf.com>; Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: FW: Municipal request for rail property

David and Phil: Thanks for the call earlier. I ask Nick to contact Kevin Waugh at the DOT, since Kevin was not responding to you. Below is Kevin's email to Nick at 12:41 today. I know this is slow, and you reported that AT&T was getting impatient, but, after all, they have been waiting for a long period, and my hope is still that this DOT location is preferable and can be supported by the town. My hope is that Keith can try Kevin again after Kevin's return on April 13 and continue this process. Thank you. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

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From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Date: Friday, April 8, 2022 at 2:17 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: Re: Municipal request for rail property

Kevin:

Understood and thank you, I will report that to the Town.

Nick



Nicholas R. Bamonte
Berchem Moses PC



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nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Date: Friday, April 8, 2022 at 12:41 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: Re: Municipal request for rail property

Nick,

I am out of the office until the 13th. We completed the review of the potential location and said the area to the south of the tracks that is cleared is the best place. I did request a full set of plans be drawn up to be reviewed by our engineering unit. I will work with the tower company directly. Please note that our review and licensing process is somewhat lengthy so it will be a while until they will get a license to construct.

Kevin

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

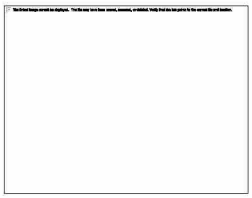
From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Friday, April 8, 2022 12:19:23 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: Re: Municipal request for rail property

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Kevin:

Just left you a lengthy voicemail as I understand there may be some confusion about who is doing what here. We are the town attorneys for Westport and are just trying to facilitate the discussion between DOT and Tarpon Towers, the private cell tower company that wants to put a tower up right next to a house in Westport. This is very important to the town since we would rather the tower go next to the rail instead of in the middle of a residential area. At this point we are running out of time. Please give me a call as soon as you can. Thank you,

Nick



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nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, March 23, 2022 1:15:09 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Full plans would have to be drawn up and reviewed by the Office of Rail and Metro-North. Once those are reviewed and approved the Town would have to enter into an agreement with the State for the Tower.

Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 12:58 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

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Thank you – so what are the next steps in the process?

Nicholas R. Bamonte
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nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, March 23, 2022 12:28 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Municipal request for rail property

Nick,

The Office of Rail completed the initial review of the proposed site. The cleared area off Hales Rd would probably be the best location for a cell tower. The only comment at this point was to try to keep the tower to one side and as far setback as possible to meet the required setbacks.

Kevin

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Wednesday, March 23, 2022 12:11 PM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Cc: Waugh, Kevin <Kevin.Waugh@ct.gov>
Subject: RE: Municipal request for rail property

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Hi Julie – I have not seen anything come back on the engineering review, so I am just checking in for a status update. Thank you

Nick

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nbamonte@berchemmoses.com

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From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Friday, February 25, 2022 7:03 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>; Waugh, Kevin <Kevin.Waugh@ct.gov>; Kuljis, Yure E <Yure.Kuljis@ct.gov>
Subject: Re: Municipal request for rail property

Hi Nick-
Thank you for the additional information and photo. Kevin Waugh forwarded the two proposed locations for review and comments on 2/17/22 and as soon as the engineering review is completed Kevin will provide that information to you. Engineering review can take up to 30 days to complete however we estimate no greater than a three week turn time for this particular request.

Thank you and should you have any question please email either a Kevin or myself.

Thank you,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Thursday, February 24, 2022 5:41 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ira Bloom <ibloom@berchemmoses.com>; Tooker, Jennifer <jtooker@westportct.gov>
Subject: RE: Municipal request for rail property

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Kevin:

Good evening. It has been a week since we last connected so I am checking whether the Town can be of any further assistance at this point. The First Selectwoman recently scouted the suggested DOT properties from the Hillspoint Road overpass, and we visually confirmed that the Parcel D 06 023 000 accessway and surrounding area, which I highlighted in my prior email below, may indeed be conducive to siting a cell tower. Given the existing railway infrastructure and nearby high voltage transmission lines, we believe this location would be more discreet than the initially proposed residential location, and so we are hopeful that this location will be feasible for DOT. The residential site is only 1/4 mile away with nearly the same elevation, so cell coverage should be comparable.

For reference, this is a photo of the target DOT area from the Hillspoint Road overpass (extending from the cleared depression in the foreground to the gravel-staged, graded area in the background beyond the white pickup).



Happy to assist further. Thank you,

Nick

Nicholas R. Bamonte
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Direct: (203) 571-1713
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nbamonte@berchemmoses.com

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From: Nicholas R. Bamonte
Sent: Thursday, February 17, 2022 3:09 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Municipal request for rail property

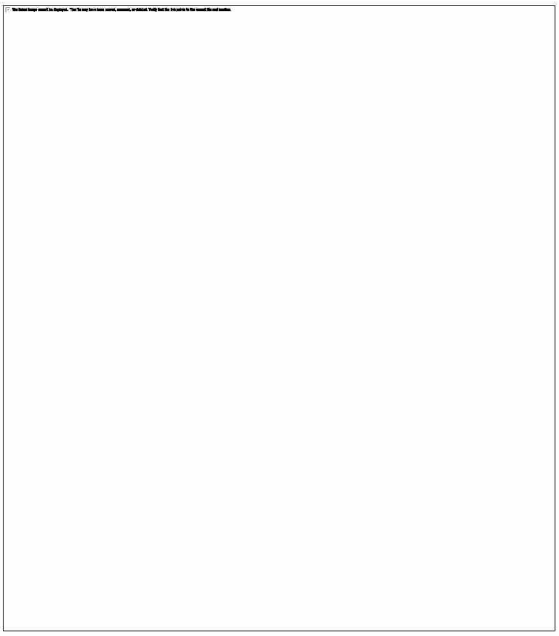
Kevin:

Yes of course, thank you for your prompt attention. This would be a full cell tower, not a small cell, and it is being proposed by Tarpon Towers I, LLC. If you have not run into them before, Tarpon is an infrastructure provider that constructs and then leases tower space to the cell providers. In this case, Tarpon has AT&T and Verizon lined up for the top two spots, so both providers will back Tarpon's eventual application to the Connecticut Siting Council for final approval once Tarpon has decided upon a site location. To date, no application has yet been with the Siting Council.

Tarpon currently intends to construct the tower at a residential property located at 92 Greens Farms Road in Westport, to the north of I-95 and the railway. At that elevation, the tower height is proposed at 124 feet. The reason Tarpon has not yet applied to the Siting Council for approval at that location is due to substantial opposition by nearby residents – since last fall, Tarpon has been making good faith efforts to work with the Town to identify a more acceptable location that also still serves the coverage needs of the providers.

Just until recently, we thought we had found a mutually agreeable alternative location on a commercial property, but that property owner has now withdrawn so we are left with the residential property at 92 Greens Farms. Which prompted us to reach out to DOT on the nearby railway properties, which we believe would be less offensive but comparable sites for the tower. Earlier this week we requested that Tarpon review the two rail properties for feasibility, but we have yet to hear back.

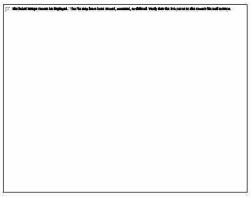
As far as siting within those properties, clearly it will depend on what is acceptable to DOT and what might work best for the cell coverage – but I will just call your attention to the area around an existing accessway off of Hales Road within State Parcel D 06 023 000 that may mitigate some site prep work:



I have attached the technical report provided by Tarpon last September, which provides a better sense of the mechanicals and associated infrastructure. I am happy to put you in contact with the attorney for Tarpon for ongoing questions and details, just let me know.

Please feel free to reach out at any time,

Nick



Nicholas R. Bamonte
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http://www.berchemmoses.com
nbamonte@berchemmoses.com

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, February 17, 2022 2:15 PM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L

<Julie.Thomas@ct.gov>
Subject: Re: Municipal request for rail property

Nick,

Julie asked me to coordinate the review of the parcels you forwarded before. Could you give me a few more details about the type of cellular install you are looking to do? Would this be a full cell tower or a 5g small cell site? Is there a cellular company you are working with or is this a general inquiry?

As many details as you can provide at this stage will help with our engineering review.

Thanks,

Kevin Waugh
CT DOT Rail Officer 2
Kevin.waugh@ct.gov
(860)689-3827

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 15, 2022 8:15 AM
To: Nicholas R. Bamonte
Cc: Bergeron, Eric S; Vitale, John A.; Waugh, Kevin
Subject: RE: Municipal request for rail property

Hi Nick-
This is to confirm CTDOT RAIL is in receipt of your email inquiry on behalf of the Town of Westport and will review the two locations (Parcels C and D) for potential feasibility/usage as wireless tower locations within CTDOT's RR ROW. Please note it will take approximately 45 days for our office to respond back to you with this information. Should you have any question concerning this process, please email John Vitale, Rail Officer at john.vitale@ct.gov .

Generally, if it is determined a site is feasible for this purpose, CTDOT would enter into a lease directly with the cell provider, as opposed to enter into a lease with the municipality for sole purposes of utilizing the property to sublease to the cell provider. CTDOT currently has existing agreements with the major cell providers and additional sites can be added when requested/approved. However, CTDOT is open to discuss any arrangement the Town of Westport may wish to propose if it is mutually beneficial for the Town and the State and has no adverse impact on public transportation.

Thank you and we will do our best to get this information back to you as soon as possible for the Town of Westport's planning purposes.

Regards,
Julie Thomas
CTDOT RAIL
860-833-1500

From: Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Sent: Monday, February 14, 2022 11:40 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Municipal request for rail property

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Good Morning Ms. Thomas,

I represent the Town of Westport and we are currently facing a cell tower proposal by in a residential area of town close to I-95 and the railway. Currently we are doing everything we can to try and locate more appropriate alternative sites in the nearby vicinity.

To that end, I understand that you are the supervisor for DOT railway property. The Town's wireless consultant has located at least two parcels of state-owned property along the railway that could potentially work for a tower:

Parcel D 06 023 000 - https://link.zixcentral.com/u/c18a7915/gnTJ-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10275

Parcel C 06 008 000 - https://link.zixcentral.com/u/8f35f527/4irM-yWQ7BGIFT2xW9GfSw?u=https%3A%2F%2Fgis.vgsi.com%2Fwestportct%2FParcel.aspx%3Fpid%3D10276

I am aware that DOT, at least for portions of railway property, has at times entered into leases with municipalities. Is there any opportunity for Westport to similarly pursue something with DOT for purposes of this cell tower, or for the Town to facilitate an arrangement between DOT and the cell tower provider? Thanks for any input or ideas you can provide.

Nick

Nicholas R. Bamonte
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1713
http://www.berchemmoses.com
nbamonte@berchemmoses.com

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found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

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Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 4/13/2022 9:39:46 AM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We still have not heard from you. I am following up about a meeting so that we can discuss the potential locations on the properties and whether they can accommodate a cell tower and compound. We cannot moved forward with these properties in any way unless you are willing to talk to us. Please let us know your availability for a meeting (zoom or in person).

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C.
Sent: Friday, April 8, 2022 3:56 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 11:07 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Thursday, March 31, 2022 9:48 AM

To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Kevin,
Thanks for responding and let me clarify so we are all on the same page.
Tarpon Towers II and AT&T are the applicants in the CSC application process. I (Keith Coppins with ARX Wireless/Phoenix Partnership) am working with Tarpon Towers to get the site approved.
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My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, March 31, 2022 9:34 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Westport CT Cell Tower

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Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation

4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Good Evening Kevin,
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Subject: RE: Westport CT Cell Tower

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Thanks

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Subject: RE: Westport CT Cell Tower
Importance: High

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Please let me know if you have any updates.
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Chief Executive Officer
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110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

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location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

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Kevin.Waugh@ct.gov

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Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
Chief Executive Officer
ARX WIRELESS

110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 4/26/2022 5:28:06 PM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]; Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We have not heard from you in about a month. We followed up with you by emails on March 31, April 8 (two emails), and April 13. In those emails, we asked for a meeting so that we can discuss the properties as potential locations for a cell tower and an equipment compound. You did not respond to any of those emails.

At this point, given DOT's lack of interest, we assume that the properties are not available for the development of a cell tower. Therefore, unless we hear from you this week and we are able to make immediate progress, we will be proceeding with our application to the Connecticut Siting Council to develop a cell tower at 92 Greens Farms Road.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C.
Sent: Wednesday, April 13, 2022 9:40 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We still have not heard from you. I am following up about a meeting so that we can discuss the potential locations on the properties and whether they can accommodate a cell tower and compound. We cannot moved forward with these properties in any way unless you are willing to talk to us. Please let us know your availability for a meeting (zoom or in person).

Regards,

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From: Pires, Philip C.
Sent: Friday, April 8, 2022 3:56 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 11:07 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>

Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

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Sent: Thursday, March 31, 2022 9:48 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
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To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
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To: Keith Coppins <kcoppins@arxwireless.com>
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Subject: RE: Westport CT Cell Tower

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To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

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Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
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Email: kcoppins@arxwireless.com

Message

From: Waugh, Kevin [Kevin.Waugh@ct.gov]
Sent: 4/27/2022 8:06:22 AM
To: Pires, Philip C. [ppires@cohenandwolf.com]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]; Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Westport CT Cell Tower

Flag: Follow up

Mr. Pires,

We have an internal meeting in CT DOT Rails on Monday to discuss the cell tower. CT DOT is not opposed to have a cell tower in the location, we are just in the process of determining if any of our projects are planning on using the area and the licensing requirements for this type of tower. I will update you early next week if you want to proceed.

Kevin
Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, April 26, 2022 5:28 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
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Sent: Wednesday, April 13, 2022 9:40 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We still have not heard from you. I am following up about a meeting so that we can discuss the potential locations on the properties and whether they can accommodate a cell tower and compound. We cannot moved forward with these properties in any way unless you are willing to talk to us. Please let us know your availability for a meeting (zoom or in person).

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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Sent: Friday, April 8, 2022 3:56 PM
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Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

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Mr. Waugh,

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Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

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Ira Bloom from Berchem and Moses is the town law firm representing the Town of Westport.
I am you primary point of contact and will act on behalf of Tarpon Towers II who is the tower developer in this application.
I have a team of a few folks that will meet on my behalf to determine site access, wetland review etc.
The Agreement will be with Tarpon Towers II, LLC.
My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

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Subject: Re: Westport CT Cell Tower

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At this point I think we need to setup a meeting with all the parties involved and work out who the agreement will be with (the Town or otherwise), who will be managing the site, and who should be the point of contact moving forward.

Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Good Evening Kevin,
In speaking with my attorney's, they mentioned someone at he DOT is communicating with the Town of Westport representatives and said the DOT is interested in moving forward with a possible site along the ROW. I have not heard anything back from you since February and am wondering if this is correct. If this is true please let me know what our next steps will be.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Tuesday, March 15, 2022 1:32 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Afternoon Kevin,
I am just checking in again to see if have any updates on the property that I sent to you in February.

Thanks

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 9, 2022 2:06 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower
Importance: High

Kevin,
Just checking on the status of the properties that we sent to you.
Please let me know if you have any updates.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Morning Kevin,
I am just following up on the email below. Do you have any information that you can provide?

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Tuesday, February 22, 2022 9:25 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

I can forward your request for a cell tower to our engineering unit for review, but I need some more details before they can start the review. Will this be a full cellular tower or a small cell 5G antenna site? Would the cellular tower be attached to an existing structure or a new tower installed? What would the approximate height requirement of any tower be? Any details you have at this point would be helpful for the review to see if a cell site is viable at this location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

Kevin

Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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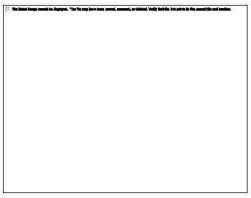
Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 4/27/2022 10:24:08 AM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Pires, Philip C. [ppires@cohenandwolf.com]; Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: Re: Westport CT Cell Tower

Thank you Kevin on behalf of Westport. We will look forward to hearing from you next week. Ira Bloom, Westport Town Attorney



Ira W. Bloom
Berchem Moses PC



1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com



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On Apr 27, 2022, at 7:07 AM, Waugh, Kevin <Kevin.Waugh@ct.gov> wrote:

Mr. Pires,

We have an internal meeting in CT DOT Rails on Monday to discuss the cell tower. CT DOT is not opposed to have a cell tower in the location, we are just in the process of determining if any of our projects are planning on using the area and the licensing requirements for this type of tower. I will update you early next week if you want to proceed.

Kevin
Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation

4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, April 26, 2022 5:28 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

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Mr. Waugh,

We have not heard from you in about a month. We followed up with you by emails on March 31, April 8 (two emails), and April 13. In those emails, we asked for a meeting so that we can discuss the properties as potential locations for a cell tower and an equipment compound. You did not respond to any of those emails.

At this point, given DOT's lack of interest, we assume that the properties are not available for the development of a cell tower. Therefore, unless we hear from you this week and we are able to make immediate progress, we will be proceeding with our application to the Connecticut Siting Council to develop a cell tower at 92 Greens Farms Road.

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ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Tuesday, March 15, 2022 1:32 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Afternoon Kevin,
I am just checking in again to see if have any updates on the property that I sent to you in February.
Thanks

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 9, 2022 2:06 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower
Importance: High

Kevin,
Just checking on the status of the properties that we sent to you.

Please let me know if you have any updates.
Thanks.

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ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Morning Kevin,
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To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

I can forward your request for a cell tower to our engineering unit for review, but I need some more details before they can start the review. Will this be a full cellular tower or a small cell 5G antenna site? Would the cellular tower be attached to an existing structure or a new tower installed? What would the approximate height requirement of any tower be? Any details you have at this point would be helpful for the review to see if a cell site is viable at this location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

Kevin

Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
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110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is

found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Message

From: Pires, Philip C. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0388ABBA944B48CFB96D3C5D9521ACFC-PPIRES@COHE]
Sent: 5/3/2022 12:14:18 PM
To: Waugh, Kevin [Kevin.Waugh@ct.gov]
CC: Bergeron, Eric S [Eric.Bergeron@ct.gov]; Vitale, John A. [John.Vitale@ct.gov]; Thomas, Julie L [Julie.Thomas@ct.gov]; Ball, David A. [dball@cohenandwolf.com]; Keith Coppins [kcoppins@arxwireless.com]; Ira Bloom [ibloom@berchemmoses.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We assume that you had your internal meeting at DOT yesterday. Please let us give us an update and let us know immediately whether DOT is interested in discussing the site. If so, we will need to schedule a meeting at the site with DOT representatives right away to explore its viability.

Otherwise, we intend to proceed with our application to the Connecticut Siting Council for 92 Greens Farms Road.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, April 27, 2022 8:06 AM
To: Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

Mr. Pires,

We have an internal meeting in CT DOT Rails on Monday to discuss the cell tower. CT DOT is not opposed to have a cell tower in the location, we are just in the process of determining if any of our projects are planning on using the area and the licensing requirements for this type of tower. I will update you early next week if you want to proceed.

Kevin
Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation

4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, April 26, 2022 5:28 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

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Mr. Waugh,

We have not heard from you in about a month. We followed up with you by emails on March 31, April 8 (two emails), and April 13. In those emails, we asked for a meeting so that we can discuss the properties as potential locations for a cell tower and an equipment compound. You did not respond to any of those emails.

At this point, given DOT's lack of interest, we assume that the properties are not available for the development of a cell tower. Therefore, unless we hear from you this week and we are able to make immediate progress, we will be proceeding with our application to the Connecticut Siting Council to develop a cell tower at 92 Greens Farms Road.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C.
Sent: Wednesday, April 13, 2022 9:40 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We still have not heard from you. I am following up about a meeting so that we can discuss the potential locations on the properties and whether they can accommodate a cell tower and compound. We cannot moved forward with these properties in any way unless you are willing to talk to us. Please let us know your availability for a meeting (zoom or in person).

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
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From: Pires, Philip C.
Sent: Friday, April 8, 2022 3:56 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 11:07 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

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From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Thursday, March 31, 2022 9:48 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Kevin,
Thanks for responding and let me clarify so we are all on the same page.
Tarpon Towers II and AT&T are the applicants in the CSC application process. I (Keith Coppins with ARX Wireless/Phoenix Partnership) am working with Tarpon Towers to get the site approved.
Ira Bloom from Berchem and Moses is the town law firm representing the Town of Westport.

I am you primary point of contact and will act on behalf of Tarpon Towers II who is the tower developer in this application.
I have a team of a few folks that will meet on my behalf to determine site access, wetland review etc.
The Agreement will be with Tarpon Towers II, LLC.
My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, March 31, 2022 9:34 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Westport CT Cell Tower

I guess I am a little confused on who I should be dealing with directly with this project. I have been getting communications from the Town of Westport, ARX Wireless, and Berchem Moses (your attorney's office I am assuming).

At this point I think we need to setup a meeting with all the parties involved and work out who the agreement will be with (the Town or otherwise), who will be managing the site, and who should be the point of contact moving forward.

Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L

<Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Good Evening Kevin,
In speaking with my attorney's, they mentioned someone at he DOT is communicating with the Town of Westport representatives and said the DOT is interested in moving forward with a possible site along the ROW. I have not heard anything back from you since February and am wondering if this is correct. If this is true please let me know what our next steps will be.
Thanks.

Keith Coppins
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To: Waugh, Kevin <Kevin.Waugh@ct.gov>
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Subject: RE: Westport CT Cell Tower

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Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
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Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

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Sent: Tuesday, February 22, 2022 9:25 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Let me know if you have any questions,

Kevin

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Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

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Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you
Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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Julie,
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Please get back with me as soon as possible to let me know if there is any interest.

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Email: kcoppins@arxwireless.com

Message

From: Ira Bloom [ibloom@berchemmoses.com]
Sent: 5/3/2022 3:43:44 PM
To: Pires, Philip C. [ppires@cohenandwolf.com]
CC: Ball, David A. [dball@cohenandwolf.com]; Nicholas R. Bamonte [nbamonte@berchemmoses.com]
Subject: RE: Westport CT Cell Tower
Flag: Follow up

Phil: Yesterday, Kevin Waugh emailed me and wanted to have a call with the Town's attorneys (only) to ask a few questions. He did not give me any details, but I have the call set up for Thursday afternoon. I will report to you after that. Please give us these couple of days to see what they want. Thanks. Ira

BERCHEM MOSES PC

Ira W. Bloom
Berchem Moses PC

1221 Post Road East Westport, CT 06880
(203) 571-1715
http://www.berchemmoses.com
ibloom@berchemmoses.com

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Super Lawyers 2021

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, May 3, 2022 12:14 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

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We assume that you had your internal meeting at DOT yesterday. Please let us give us an update and let us know immediately whether DOT is interested in discussing the site. If so, we will need to schedule a meeting at the site with DOT representatives right away to explore its viability.

Otherwise, we intend to proceed with our application to the Connecticut Siting Council for 92 Greens Farms Road.

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ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Wednesday, April 27, 2022 8:06 AM
To: Pires, Philip C. <PPires@cohenandwolf.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

Mr. Pires,

We have an internal meeting in CT DOT Rails on Monday to discuss the cell tower. CT DOT is not opposed to have a cell tower in the location, we are just in the process of determining if any of our projects are planning on using the area and the licensing requirements for this type of tower. I will update you early next week if you want to proceed.

Kevin
Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Tuesday, April 26, 2022 5:28 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>; Ira Bloom <ibloom@berchemmoses.com>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>
Subject: RE: Westport CT Cell Tower

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Mr. Waugh,

We have not heard from you in about a month. We followed up with you by emails on March 31, April 8 (two emails), and April 13. In those emails, we asked for a meeting so that we can discuss the properties as potential locations for a cell tower and an equipment compound. You did not respond to any of those emails.

At this point, given DOT's lack of interest, we assume that the properties are not available for the development of a cell tower. Therefore, unless we hear from you this week and we are able to make immediate progress, we will be proceeding with our application to the Connecticut Siting Council to develop a cell tower at 92 Greens Farms Road.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C.
Sent: Wednesday, April 13, 2022 9:40 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

We still have not heard from you. I am following up about a meeting so that we can discuss the potential locations on the properties and whether they can accommodate a cell tower and compound. We cannot moved forward with these properties in any way unless you are willing to talk to us. Please let us know your availability for a meeting (zoom or in person).

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C.
Sent: Friday, April 8, 2022 3:56 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <dball@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

I understand that you wrote to Attorney Bamonte (who represents the Town of Westport) today. In follow up to my email below from this morning, please let us know when DOT is available next week for a meeting to discuss the properties. We look forward to your reply.

Regards,

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Pires, Philip C. <PPires@cohenandwolf.com>
Sent: Friday, April 8, 2022 11:07 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>; Ball, David A. <DBall@cohenandwolf.com>; Keith Coppins <kcoppins@arxwireless.com>
Subject: RE: Westport CT Cell Tower

Mr. Waugh,

Our law firm represents Tarpon Towers II, one of the applicant's for the Westport cell tower site. Tarpon's representative, Keith Coppins, has not heard back from you despite multiple follow up attempts.

Please advise whether either of the DOT parcels is available and the next step in the process. As Mr. Coppins indicated, we remain available to meet or discuss the DOT properties for the development of a tower.

If we do not receive an immediate response from you, then we will assume that the DOT properties are not available for a tower, and we will proceed with an application to the Siting Council to develop a tower at 92 Greens Farms Road.

Thank you.

Philip C. Pires | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604 | P: 203.337.4122
ppires@cohenandwolf.com | www.cohenandwolf.com | Bio

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From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Thursday, March 31, 2022 9:48 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Kevin,
Thanks for responding and let me clarify so we are all on the same page.
Tarpon Towers II and AT&T are the applicants in the CSC application process. I (Keith Coppins with ARX Wireless/Phoenix Partnership) am working with Tarpon Towers to get the site approved.
Ira Bloom from Berchem and Moses is the town law firm representing the Town of Westport.
I am you primary point of contact and will act on behalf of Tarpon Towers II who is the tower developer in this application.
I have a team of a few folks that will meet on my behalf to determine site access, wetland review etc.
The Agreement will be with Tarpon Towers II, LLC.
My law firm contact is Phil Pires and David Ball with Cohen and Wolf out of Bridgeport.

What do we need to do to move this project forward. I really need to have a clear understanding of the proposed location and the process to move this swiftly through your process.
I am available most any time to discuss or meet at the site for a visit.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Thursday, March 31, 2022 9:34 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Re: Westport CT Cell Tower

I guess I am a little confused on who I should be dealing with directly with this project. I have been getting communications from the Town of Westport, ARX Wireless, and Berchem Moses (your attorney's office I am assuming).

At this point I think we need to setup a meeting with all the parties involved and work out who the agreement will be with (the Town or otherwise), who will be managing the site, and who should be the point of contact moving forward.

Kevin

Kevin Waugh
Office of Rail - Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street
New Haven, CT 06511
(203) 497-3364
kevin.waugh@ct.gov

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Tuesday, March 29, 2022 6:59 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

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Good Evening Kevin,
In speaking with my attorney's, they mentioned someone at he DOT is communicating with the Town of Westport representatives and said the DOT is interested in moving forward with a possible site along the ROW. I have not heard anything back from you since February and am wondering if this is correct. If this is true please let me know what our next steps will be.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Tuesday, March 15, 2022 1:32 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Afternoon Kevin,
I am just checking in again to see if have any updates on the property that I sent to you in February.
Thanks

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 9, 2022 2:06 PM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower
Importance: High

Kevin,
Just checking on the status of the properties that we sent to you.
Please let me know if you have any updates.
Thanks.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Keith Coppins
Sent: Wednesday, March 2, 2022 10:50 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Good Morning Kevin,
I am just following up on the email below. Do you have any information that you can provide?

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

From: Waugh, Kevin <Kevin.Waugh@ct.gov>
Sent: Tuesday, February 22, 2022 9:25 AM
To: Keith Coppins <kcoppins@arxwireless.com>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>; Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: RE: Westport CT Cell Tower

Mr. Coppins,

I can forward your request for a cell tower to our engineering unit for review, but I need some more details before they can start the review. Will this be a full cellular tower or a small cell 5G antenna site? Would the cellular tower be attached to an existing structure or a new tower installed? What would the approximate height requirement of any tower be? Any details you have at this point would be helpful for the review to see if a cell site is viable at this location. How flexible is this proposed site location (does it need to be on the south side of the tracks or can it be between the railroad and I-95)? Also, would AT&T plan on hardening this location with a generator now or in the future?

Let me know if you have any questions,

Kevin

Kevin Waugh
Office of Rail – Rail Property & Utilities Unit
Department of Transportation
4 Brewery Street, 4th Floor
New Haven, CT 06511
(203) 497-3364
Kevin.Waugh@ct.gov

From: Thomas, Julie L <Julie.Thomas@ct.gov>
Sent: Tuesday, February 22, 2022 6:56 AM
To: Waugh, Kevin <Kevin.Waugh@ct.gov>
Cc: Bergeron, Eric S <Eric.Bergeron@ct.gov>; Vitale, John A. <John.Vitale@ct.gov>
Subject: Fw: Westport CT Cell Tower

Kevin
Please review and forward this site to Engineering for comments if this is a different location than the two prior requests in Westport.

Thank you

Julie

From: Keith Coppins <kcoppins@arxwireless.com>
Sent: Saturday, February 19, 2022 10:02 AM
To: Thomas, Julie L <Julie.Thomas@ct.gov>
Subject: Westport CT Cell Tower

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Julie,
I am working with Tarpon Towers and ATT (applicants) on a cell tower along Greens Farms Rd in Westport. The town has asked that I reach out the DOT to see if they have any interest in locating a tower along the right of way in the attachment shown.
Please get back with me as soon as possible to let me know if there is any interest.

Keith Coppins
Chief Executive Officer
ARX WIRELESS
110 Washington Avenue
North Haven, CT 06473
Mobile: (203) 623-3287
Email: kcoppins@arxwireless.com

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Message

From: Ball, David A. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AB06318EDFBE4EA4A4FCE53CF4C3A91D-DBALL@COHEN]
Sent: 5/11/2022 12:07:04 PM
To: Ira Bloom [ibloom@berchemmoses.com]
Subject: Westport - update

Ira,

As discussed, CDOT expressed to you that it could not move forward with a cell tower project on Hales Road because of its lack of resources and its prioritization of other projects. Accordingly, we will be filing an Application with the Connecticut Siting Council for the site at 92 Greens Farms Road.

In accordance with the governing statutes, we are publishing notice of our filing in the Westport News on May 13, 2022 and May 20, 2022. We intend to file the Application with the Siting Council on or about May 26, 2022.

I appreciate your professionalism and cooperation throughout the municipal consultation period, and of course I will be in touch with you throughout the Siting Council process.

David

David A. Ball | **Principal** | **Cohen and Wolf, P.C.**
1115 Broad Street | Bridgeport, CT 06604
P: 203.337.4134 | F: 203.337.5534
Pronouns: he/him/his
dball@cohenandwolf.com | www.cohenandwolf.com

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